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TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 510]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.617 *Lemon Regulation 510—*
(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953) regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.) and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions of this section effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified in this section

was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on November 4, 1953, such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., November 8, 1953, and ending at 12:01 a. m., P. s. t., November 15, 1953, is hereby fixed as follows:

- (i) District 1: Unlimited movement;
- (ii) District 2: 223 carloads;
- (iii) District 3: 12 carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 509 (18 F. R. 6868) and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2," and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 5th day of November 1953.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Branch, Production and Mar-
keting Administration.

[F. R. Doc. 53-9504; Filed, Nov. 6, 1953; 8:56 a. m.]

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Chapter XI—Agricultural Conservation Program (Agricultural Adjustment), Department of Agriculture
[ACP—1954, Supp. 2]
PART 1101—NATIONAL AGRICULTURAL CONSERVATION
SUBPART—1954
STATE FUNDS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7-17 of the Soil Conservation and Domestic Allotment Act, as amended, and the Department of Agriculture Appropriation Act, 1954, the 1954 National Agricultural Conservation Program, issued August 3, 1953 (18 F. R. 4643), as

amended August 3, 1953 (18 F. R. 4761) is further amended as follows:

Section 1101.502 is amended to read as follows:

§ 1101.502 *State funds.* (a) Funds available for conservation practices will be distributed among States on the basis of their conservation needs, but the proportion allocated for use in any State shall not be reduced more than 15 percent from its proportionate 1953 distribution. The allocation of funds among the States is as follows:

Alabama	\$4,590,000
Alaska	21,000
Arizona	1,127,000
Arkansas	3,548,000
California	3,970,000
Colorado	2,507,000
Connecticut	370,000
Delaware	253,000
Florida	1,811,000
Georgia	5,334,000
Hawaii	140,000
Idaho	1,289,000
Illinois	6,217,000
Indiana	4,004,000
Iowa	6,702,000
Kansas	4,926,000
Kentucky	4,725,000
Louisiana	3,128,000
Maine	709,000
Maryland	987,000
Massachusetts	407,000
Michigan	3,582,000
Minnesota	4,331,000
Mississippi	4,827,000
Missouri	6,745,000
Montana	2,714,000
Nebraska	4,631,000
Nevada	237,000
New Hampshire	375,000
New Jersey	549,000
New Mexico	1,382,000
New York	3,578,000
North Carolina	4,701,000
North Dakota	3,443,000
Ohio	4,183,000
Oklahoma	5,564,000
Oregon	1,037,000
Pennsylvania	3,800,000
Puerto Rico	633,000
Rhode Island	63,000
South Carolina	2,516,000
South Dakota	3,580,000
Tennessee	3,988,000
Texas	14,384,000
Utah	981,000
Vermont	705,000
Virgin Islands	9,000
Virginia	3,208,000
Washington	1,792,000
West Virginia	1,196,000
Wisconsin	4,012,000
Wyoming	1,521,000
Total	151,800,000

(b) The apportionment shown in this section does not include the amount set aside for administrative expenses, the amount required for increases in small Federal cost-shares in § 1101.576, and the amount set aside for the Naval Stores Conservation Program.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interpret or apply secs. 7-17, 49 Stat. 1148, as amended, Pub. Law 156, 83d Cong; 16 U. S. C. 590g-590q)

Done at Washington, D. C., this 4th day of November 1953.

[SEAL] J. EARL COKE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-9476; Filed, Nov. 6, 1953; 8:57 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 48]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

MISCELLANEOUS AMENDMENTS

The minimum en route IFR altitudes appearing hereinafter have been coordinated with interested members of the industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 610 is amended as follows:

1. Section 610.12 *Green civil airway No. 2* is amended to read in part:

From—	To—	Minimum altitude
Lansing, Mich. (LFR).	White Lake (INT), Mich.	2,900
White Lake (INT), Mich.	Detroit, Mich. (LFR).	2,200

2. Section 610.18 *Green civil airway No. 8* is amended to read in part:

From—	To—	Minimum altitude
Cold Bay, Alaska (LFR).	King Salmon, Alaska (LFR).	4,000

3. Section 610.105 *Amber civil airway No. 5* is amended to read in part:

From—	To—	Minimum altitude
Memphis, Tenn. (LFR).	Cuba (INT), Tenn....	2,300
Cuba (INT), Tenn....	Advance, Mo. (LFR).	2,000

4. Section 610.210 *Red civil airway No. 10* is amended to eliminate:

From—	To—	Minimum altitude
Pueblo, Colo. (LFR).	Purgatoire River (INT), Colo.	7,500
Purgatoire River (INT), Colo.	Dalhart, Tex. (LF/RBN).	8,900
Dalhart, Tex. (LF/RBN).	Amarillo, Tex. (LFR).	5,300

5. Section 610.220 *Red civil airway No. 20* is amended to read in part:

From—	To—	Minimum altitude
Lansing, Mich. (LFR).	Flint, Mich. (LF/RBN).	2,900

6. Section 610.228 *Red civil airway No. 28* is amended to read in part:

From—	To—	Minimum altitude
Lansing, Mich. (LFR).	Int. 300°-120° mag. brg. Lansing, Mich. (LFR) and W. crs. Salem, Mich. (VAR).	2,000
Int. 300°-120° mag. brg. Lansing, Mich. (LFR) and W. crs. Salem, Mich. (VAR).	Int. 090°-150° mag. brg. Lansing, Mich. (LFR) and S. crs. Salem, Mich. (VAR).	2,300

7. Section 610.277 *Red civil airway No. 77* is amended to read in part:

From—	To—	Minimum altitude
Tappahannock, Va. (LFR).	Millville, N. J. (LFR).	1,000

8. Section 610.277 *Red civil airway No. 77* is amended by adding:

From—	To—	Minimum altitude
Greensboro, N. C. (LFR).	Lynchburg, Va. (LFR).	2,000

9. Section 610.281 *Red civil airway No. 81* is amended to read in part:

From—	To—	Minimum altitude
Lansing, Mich. (LFR).	Chelsea (INT), Mich.	2,000
Chelsea (INT), Mich.	Manchester (INT), Mich.	2,300

10. Section 610.626 *Blue civil airway No. 26* is amended to read in part:

From—	To—	Minimum altitude
Nenana, Alaska (LFR).	Nenabank (INT), Alaska.	2,000

¹7,000'—Minimum crossing altitude at Nenana (LFR), southbound.

11. Section 610.630 *Blue civil airway No. 30* is amended by adding:

From—	To—	Minimum altitude
Amarillo, Tex. (LFR).	Dalhart, Tex. (LF/RBN).	5,300
Dalhart, Tex. (LF/RBN).	Purgatoire River (INT), Colo.	8,000
Purgatoire River (INT), Colo.	Pueblo, Colo. (LFR).	7,500

12. Section 610.632 *Blue civil airway No. 32* is amended to read in part:

From—	To—	Minimum altitude
Skwentna, Alaska (LFR).	Talkeetna, Alaska (LF/RBN).	5,000

¹4,100'—Minimum crossing altitude at Skwentna (LFR), northeast-bound.

13. Section 610.646 *Blue civil airway No. 46* is amended to read in part:

From—	To—	Minimum altitude
Memphis, Tenn. (LFR).	Int. 005°-185° mag. brg. Memphis, Tenn. (LFR) and 211°-031° mag. brg. Dyersburg, Tenn. (LF/RBN).	2,300
Int. 005°-185° mag. brg. Memphis, Tenn. (LFR) and 211°-031° mag. brg. Dyersburg, Tenn. (LF/RBN).	Dyersburg, Tenn. (LF/RBN).	2,000

14. Section 610.663 *Blue civil airway No. 63* is added to read:

From—	To—	Minimum altitude
Concord, N. H. (LFR).	Laconia, N. H. (LF/RBN).	4,000

15. Section 610.665 *Blue civil airway No. 65* is added to read:

From—	To—	Minimum altitude
Shuyak, Alaska (LF/RBN).	Anchor Point (INT), Alaska.	4,000

16. Section 610.1001 *Direct routes, United States*, is amended by adding:

From—	To—	Minimum altitude
Farley, Kans. (LF/RBN).	Topeka, Kans. (LF/RBN).	2,500
Farley, Kans. (LF/RBN).	St. Joseph, Mo. (LFR).	2,400
Farley, Kans. (LF/RBN).	Do Soto (INT), Kans.	2,400
Do Soto (INT), Kans.	Topeka, Kans. (LF/RBN).	2,500
Belton (INT), Mo.	Liberty, Mo. (LF/RBN).	2,400
Columbia, Mo. (LFR).	Okato, Kans. (LFR).	2,400
Dyersburg, Tenn. (LF/RBN).	Memphis, Tenn. (LFR).	2,300

17. Section 610.6001 *VOR civil airway No. 1* is added to read:

From—	To—	Minimum altitude
Norfolk, Va. (VAR).	Salisbury Md. (VOR).	1,500
Salisbury, Md. (VOR).	Atlantic City, N. J. (VAR).	1,500
Atlantic City, N. J. (VAR).	Matawan, N. J. (VAR).	1,500

RULES AND REGULATIONS

18. Section 610.6002 *VOR civil airway* No. 2 is amended to read in part:

From—	To—	Minimum altitude
Lansing, Mich. (VOR) via N. alter.	Howell (INT), Mich. via N. alter.	2,900
Howell (INT), Mich. via N. alter.	Detroit, Mich. (VOR) via N. alter.	2,500
Lansing, Mich. (VOR) direct.	Detroit, Mich. (VOR) direct.	2,900

19. Section 610.6003 *VOR civil airway* No. 3 is amended by adding:

From—	To—	Minimum altitude
Raleigh, N. C. (VOR).	Lawrenceville, Va. (VOR).	1,800
Lawrenceville, Va. (VOR).	Flat Rock, Va. (VOR).	1,500

20. Section 610.6006 *VOR civil airway* No. 6 is amended to read in part:

From—	To—	Minimum altitude
Des Moines, Iowa (VOR) via dir. or N. and S. alter.	Iowa City, Iowa (VOR) via dir. or N. and S. alter.	2,200
Iowa City, Iowa (VOR):	Moline, Ill. (VOR):	
Direct.....	Direct.....	2,000
S. alter.....	S. alter.....	2,100
Moline, Ill. (VOR):	Naperville, Ill. (VOR):	
Direct.....	Direct.....	2,100
N. alter.....	N. alter.....	2,400
Omaha, Nebr. (VOR) Lyman (INT), Iowa...	Lyman (INT), Iowa ¹ Middle River (INT), Iowa ²	2,600
Middle River (INT), Iowa ¹	Des Moines, Iowa (VOR).	2,600
Omaha, Nebr. (VOR) via S. alter.	Des Moines, Iowa (VOR) via S. alter.	2,600

¹ 5,500'—Minimum reception altitude.

² 2,400'—Minimum terrain clearance altitude.

³ 3,000'—Minimum reception altitude.

⁴ 2,700'—Minimum terrain clearance altitude.

21. Section 610.6008 *VOR civil airway* No. 8 is amended to read in part:

From—	To—	Minimum altitude
Des Moines, Iowa (VOR) via dir. or S. alter.	Iowa City, Iowa (VOR) via dir. or S. alter.	2,200
Iowa City, Iowa (VOR):	Moline, Ill. (VOR):	
Direct.....	Direct.....	2,000
S. alter.....	S. alter.....	2,100
Des Moines, Iowa (VOR) via N. alter.	Grinnell (INT), Iowa via N. alter.	2,200
Grinnell (INT), Iowa via N. alter.	Moline, Ill. (VOR) via N. alter.	1,750
Omaha, Nebr. (VOR) Lyman (INT), Iowa...	Lyman (INT), Iowa ¹ Middle River (INT), Iowa ²	2,600
Middle River (INT), Iowa ¹	Des Moines, Iowa (VOR).	2,600
Omaha, Nebr. (VOR) via S. alter.	Des Moines, Iowa (VOR) via S. alter.	2,600

¹ 2,200'—Minimum terrain clearance altitude.

² 5,500'—Minimum reception altitude.

³ 2,400'—Minimum terrain clearance altitude.

⁴ 5,000'—Minimum reception altitude.

⁵ 2,700'—Minimum terrain clearance altitude.

22. Section 610.6009 *VOR civil airway* No. 9 is amended to read in part:

From—	To—	Minimum altitude
Memphis, Tenn. (VOR) Dir. or W. alter.	Malden, Mo. (VOR) Dir. or W. alter.	2,300

23. Section 610.6011 *VOR civil airway* No. 11 is amended to read in part:

From—	To—	Minimum altitude
Memphis, Tenn. (VOR).	Dyersburg, Tenn. (VOR).	2,300

24. Section 610.6012 *VOR civil airway* No. 12 is amended to read in part:

From—	To—	Minimum altitude
Columbus, Ohio (VOR).	Wheeling, W. Va. (VOR).	2,500
Wheeling, W. Va. (VOR).	Pittsburgh, Pa. (VOR).	2,500

25. Section 610.6015 *VOR civil airway* No. 15 is amended to read in part:

From—	To—	Minimum altitude
St. Joseph, Mo. (VOR).	Randolph (INT), Iowa ¹	2,500
Randolph (INT), Iowa ¹	Omaha, Nebr. (VOR).	2,500
St. Joseph, Mo. (VOR) via E. alter.	Omaha, Nebr. (VOR) via E. alter.	2,500

¹ 5,400'—Minimum reception altitude.

26. Section 610.6016 *VOR civil airway* No. 16 is amended by adding:

From—	To—	Minimum altitude
Pulaski, Va. (VOR)....	Montebello, Va. (VOR).	6,000

27. Section 610.6020 *VOR civil airway* No. 20 is amended by adding:

From—	To—	Minimum altitude
Greensboro, N. C. (VOR).	Danville, Va. (VOR).	2,300
Danville, Va. (VOR)...	Flat Rock, Va. (VOR).	2,000

28. Section 610.6030 *VOR civil airway* No. 30 is amended to read in part:

From—	To—	Minimum altitude
Bellevue (INT), Ohio...	Int. 348° rad. Mansfield, Ohio (VOR) and W crs. Wellington, Ohio (VAR).	2,000
Int. 348° rad. Mansfield, Ohio (VOR) and W crs. Wellington, Ohio (VAR).	Wellington, Ohio (VAR).	2,000

29. Section 610.6030 *VOR civil airway* No. 30 is amended to eliminate:

From—	To—	Minimum altitude
Allentown, Pa. (VOR).	Caldwell, N. J. (VOR).	2,500

30. Section 610.6037 *VOR civil airway* No. 37 is amended by adding:

From—	To—	Minimum altitude
Raleigh, N. C. (VOR).	Danville, Va. (VOR).	2,000
Danville, Va. (VOR)...	Montebello, Va. (VOR).	0,000
Int. NE crs. Lynchburg, Va. (LFR) and 181° rad. Montebello, Va. (VOR).	Danville, Va. (VOR) (southbound only).	2,500
Montebello, Va. (VOR).	Elkino, W. Va. (VOR).	0,000

31. Section 610.6040 *VOR civil airway* No. 40 is amended to read in part:

From—	To—	Minimum altitude
Medina (INT), Ohio...	Bergholz, Ohio (LF/RBN).	2,500
South Bass (INT), Ohio.	Int. 348° rad. Mansfield, Ohio (VOR) and W crs. Wellington, Ohio (VAR).	3,000
Int. 348° rad. Mansfield, Ohio (VOR) and W crs. Wellington, Ohio (VAR).	Wellington, Ohio (VAR).	2,000

32. Section 610.6042 *VOR civil airway* No. 42 is amended to read in part:

From—	To—	Minimum altitude
Pullman, Mich. (VOR).	Henrietta (INT), Mich. ¹	2,500
Henrietta (INT), Mich. ¹	Detroit, Mich. (VOR).	2,500

¹ 3,000'—Minimum reception altitude.

² 2,500'—Minimum terrain clearance altitude.

33. Section 610.6063 *VOR civil airway* No. 63 is amended to read in part:

From—	To—	Minimum altitude
Burlington, Iowa (VOR).	Moline, Ill. (VOR)....	2,100

34. Section 610.6075 *VOR civil airway No. 75* is amended to read in part:

From—	To—	Minimum altitude
Wheeling, W. Va. (VOR).	Madina (INT), Ohio...	2,500

35. Section 610.6090 *VOR civil airway No. 90* is amended to read in part:

From—	To—	Minimum altitude
Lansing, Mich. (VOR). Howell (INT), Mich...	Howell (INT), Mich... Milford (INT), Mich...	2,900 4,000

36. Section 610.6084 *VOR civil airway No. 84* is amended to read in part:

From—	To—	Minimum altitude
Lansing, Mich. (VOR).	Flint (INT), Mich...	2,900

37. Section 610.6128 *VOR civil airway No. 128* is amended by adding:

From—	To—	Minimum altitude
Pulaski, Va. (VOR)....	Greensboro, N. C. (VOR).	6,000

38. Section 610.6133 *VOR civil airway No. 133* is added to read:

From—	To—	Minimum altitude
Parkersburg, W. Va. (VOR).	Mansfield Ohio (VOR).	2,500

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective November 3, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.
[F. R. Doc. 53-9332; Filed, Nov. 6, 1953;
8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

Subchapter F—Reserve Forces

PART 861—OFFICERS' RESERVE

Subchapter J—Procurement Procedures

PART 1006—CONTRACT FORMS AND CLAUSES

POINT-GAINING ACTIVITIES FOR AIR FORCE RESERVISTS; ABSTRACT OF BID FORMS

1. Paragraphs (e) and (f) of § 861.32 (18 F. R. 2404) are changed as follows:

§ 861.32 *Definitions.* For the purpose of §§ 861.31 to 861.36, the following definitions apply:

(e) *Training period.* A duly authorized period of instruction performed by persons who are training as individuals. Such training will be of at least two hours' duration and normally will be of four hours' duration. Two training periods if conducted within one calendar day must total at least eight hours. This term will include authorized attendance at a scheduled class of instruction under the contract school training program.

(f) *Unit training assembly.* A duly authorized and scheduled period of instruction conducted by Table of Organization, Table of Distribution, and Non-Table of Organization composite-type units. Such unit training assemblies will be of at least two and normally four hours' duration. Two training assemblies if conducted in one calendar day must total at least eight hours.

2. Paragraph (d) of § 861.35 (18 F. R. 2405) is changed as follows:

§ 861.35 *Basis for award and supporting evidence.* The basic Air Force form on which points will be recorded is AF Form 190, "USAF Reserve Personnel Record Card." Entries will not be made in individual AF Forms 190 which

are not supported by one or more of the following properly authenticated documents:

(d) *DD Form 214, "Report of Separation from the Armed Forces of the United States,"* or *DD Form 220, "Active Duty Report"* For credit for active duty.

[AFR 45-15A and B] (Sec. 251, 66 Stat. 435; 50 U. S. C. 1032. Interpret or apply secs. 101-253, C01-C03, 66 Stat. 431-433, 501; 50 U. S. C. 901-1010; 1031-1033)

3. Section 1006.1421 (18 F. R. 4336) is changed to read as follows:

§ 1006.1421 *Abstract of bid forms.* (a) AF Form 1044, Abstract of Bids. This form consists of one sheet printed on one side on translucent paper. Translucent paper makes possible the typing of one Abstract of Bids and reproduction by ozalid process to get distribution copies.

(b) AF Form 1045, Abstract of Bids (Insert Sheet). This form consists of one sheet printed on one side on translucent paper, and is used when there are more than ten items, to eliminate the use of additional Abstract of Bid forms.

(c) AF Form 1046, Abstract of Bids (Continuation Sheet). This form consists of one sheet printed on one side of translucent paper and is used, when required, for certificates and pre-award deviations and comments.

(d) AF Forms 1044, 1045, and 1046 replace WD Forms 14, Abstract of Bids (short form), WD Form 29, Abstract of Bids (long form), and WD Form 29A, Abstract of Bids (long form—continuation sheet), which are obsolete.

4. Section 1006.1422, *Abstract of bids (long form)*, WD Form 29, is deleted.

5. Section 1006.1423, *Abstract of bids (long form—continuation sheet)*, WD Form 29A, is deleted.

[AFL 70-102G] (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply 62 Stat. 21; 41 U. S. C. 151-161)

[SEAL] K. E. THIEBAUD,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 53-9403; Filed, Nov. 6, 1953;
8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

19 CFR Part 201 I

REVISION OF REGULATIONS UNDER PACKERS AND STOCKYARDS ACT

NOTICE OF PROPOSED RULE MAKING

Pursuant to a notice published in the FEDERAL REGISTER on August 20, 1952 (17 F. R. 7602) public hearings were held in nine different cities during September, 1952, to consider the advisability of revising the regulations issued under the

Packers and Stockyards Act, 1921, as amended and supplemented (9 CFR 201 et seq., 7 U. S. C. 181 et seq.). At the request of interested persons an additional hearing was held in Washington, D. C., on September 22, 1952. At such hearings all interested persons were afforded an opportunity to appear and be heard, in person or by attorney, upon the advisability of revising such regulations. At the conclusion of the hearings all interested persons were advised that they might submit written statements concerning the proposed revision on or before October 10, 1952, and legal briefs concerning the proposed revision on or

before November 15, 1952. Numerous written statements and legal briefs have been filed by interested persons. The notice of hearings stated that after such hearings had been held and all testimony and material presented thereat had been considered, a notice of proposed rule making setting forth any proposed amendments to the regulations would be published in the FEDERAL REGISTER and that all interested persons would be afforded a reasonable opportunity to submit their views, arguments, and data, in writing, on such proposals prior to the issuance of the final revision of the regulations.

PROPOSED RULE MAKING

Accordingly notice is hereby given pursuant to section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)), that the Secretary of Agriculture is considering revising the regulations under the Packers and Stockyards Act, 1921, as amended and supplemented (9 CFR 201 et seq., 7 U. S. C. 181 et seq.), to read as follows:

DEFINITIONS

- Sec.
201.1 Meaning of words.
201.2 Terms defined.

ADMINISTRATION

- 201.3 Authority.

APPLICABILITY OF INDUSTRY RULES

- 201.4 Bylaws, rules and regulations, and requirements of exchanges, associations, or other organizations; applicability, establishment.

POSTING STOCKYARDS

- 201.5 Investigation, notice, and posting of stockyards.
201.6 Investigation, notice, and deposting of stockyards.
201.7 Change in name, address, management, control, or ownership to be reported by stockyard owner.

DESIGNATION OF LIVE POULTRY MARKETS

- 201.8 Investigation.
201.9 Publication.

REGISTRATION

- 201.10 Requirements and procedures.
201.11 Officers, agents, and employees of registrants whose registrations have been suspended or revoked.
201.12 Registrants whose registrations have been suspended or revoked.
201.13 Registrants to report changes in name, address, control, or ownership.

LICENSING

- 201.14 Requirements and procedures.
201.15 Licensee must maintain satisfactory financial condition or furnish surety bond or equivalent.
201.16 Licensee to report changes in name, address, control, or ownership.

SCHEDULES OF RATES AND CHARGES

- 201.17 Requirements as to filing by stockyard owners and market agencies; use of term "yardage" in stockyard schedules.
201.18 Requirements as to filing by licensees.
201.19 Size, style, and number of copies.
201.20 Numbering, arrangement, and substance of schedules and amendments.
201.21 Rules or regulations affecting rates and charges.
201.22 Time and place stockyard owners, market agencies, and licensees are to file schedules and amendments.
201.23 Joint schedules.
201.24 Prescribed rates, charges, practices, and regulations.
201.25 Proposed increases in existing charges must be supported by specific data.
201.26 Form.

GENERAL BONDING PROVISIONS

- 201.27 Underwriter; substantial equivalents in lieu of bonds.
201.28 Duplicates of bonds or equivalents to be filed with the Chief, Washington, D. C.

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- 201.29 Market agencies and dealers to file on or before commencing operations.
201.30 Amount of market agency and dealer bonds.

- Sec.
201.31 Conditions in market agency and dealer bonds.
201.32 Trustee in market agency and dealer bonds.
201.33 Persons damaged may maintain suit to recover on market agency and dealer bonds.
201.34 Termination of market agency and dealer bonds.

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- 201.35 Standards for bonds submitted by applicants for licenses and licensees.
201.36 Trustee in licensee bonds.
201.37 Persons damaged may maintain suit to recover on licensee bonds.
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- 201.39 Payment to be made to consignor or shipper by market agencies and licensees; exceptions.
201.40 Market agencies and licensees not to use shippers' proceeds or funds received for purchases or commission for own purposes through "bank float" or otherwise.
201.41 Market agencies and licensees to make faithful and prompt accounting to consignors or shippers or other interested persons of whom they have knowledge.
201.42 Custodial accounts for shippers' proceeds.

ACCOUNTS AND RECORDS

- 201.43 Market agencies and licensees to make prompt accounting and transmittal of net proceeds.
201.44 Market agencies and licensees to render prompt accounting for purchases on order.
201.45 Market agencies and licensees to make records available for inspection by owners, consignors, and purchasers.
201.46 Stockyard owners, registrants, and licensees to keep daily record.
201.47 Market agencies and licensees to disclose business relationships, if any, with purchasers.
201.48 Sellers of live poultry to issue sales tickets at designated markets.
201.49 Requirements regarding scale tickets evidencing weighing of livestock or live poultry.
201.50 Records; disposition.
201.51 Contracts; stockyard owners to furnish copies of.
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TRADE PRACTICES

- 201.53 Livestock and live poultry market conditions and prices; persons subject to act not to circulate misleading reports.
201.54 Gratuities.
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201.59 Taking consignments into own account; accounting; resales.
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201.61 Market agencies engaged in selling livestock on commission.
201.62 Using consigned livestock to fill orders.
201.63 Consignments; when not to be solicited.
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201.65 Restrictions on employment of salesmen on split commission basis.
201.66 Market agencies not to employ packers or dealers.
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201.69 Furnishing information to competitor buyers.
201.70 Restriction or limitation of competition between packers and dealers prohibited.

SERVICES

- 201.71 Accurate weights.
201.72 Scales; testing of.
201.73 Scale operators to be competent.
201.74 Scales; reports of tests and inspections.
201.75 Scales; repairs, adjustments, or replacements after inspection.
201.76 Reweighing.
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201.78 Packer scales.
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201.82 Livestock; care and promptness in yarding, feeding, watering, weighing, and handling.
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201.84 Feed and water furnished livestock or live poultry.
201.85 Livestock auctions; requirements as to accommodations and persons entering auction ring.

INSPECTION OF BRANDS

- 201.86 Application for authorization by State agencies and duly organized State livestock associations; requisites.
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201.88 Registration and filing of schedules.
201.89 Records of authorized agencies or associations.
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201.91 Inspections; reciprocal arrangements by authorized agencies or associations.
201.92 Maintenance of identity of consignments; inspection to be expedited.
201.93 Existing contracts between authorized agencies; recognition and continuation.

GENERAL

- 201.94 Information as to business; furnishing of by packers, stockyard owners, registrants, and licensees.
201.95 Inspection of records and property of packers, stockyard owners, registrants, and licensees.
201.96 Packers, stockyard owners, registrants, or licensees; information concerning business not to be divulged.
201.97 Annual reports.

AUTHORITY: §§ 201.1 to 201.97 issued under Packers and Stockyards Act, 1921, as amended and supplemented, 7 U. S. C. 181 et seq.

DEFINITIONS

§ 201.1 *Meaning of words.* Words used in this part in the singular form shall be deemed to import the plural, and vice versa, as the case may demand.

§ 201.2 *Terms defined.* The definitions of terms contained in the act

shall apply to such terms when used in the regulations in this part. In addition, unless the context otherwise requires, the following terms shall be construed, respectively, to mean:

(a) "Act" means the Packers and Stockyards Act, 1921, as amended and supplemented (7 U. S. C. 181 et seq.)

(b) "Department" means the United States Department of Agriculture.

(c) "Secretary" means the Secretary of Agriculture or any person authorized to act in his stead.

(d) "Administration" means the Production and Marketing Administration of the Department.

(e) "Administrator" means the Administrator of the Administration or any person authorized to act in his stead.

(f) "Assistant Administrator" means the Assistant Administrator for Marketing of the Administration or any person authorized to act in his stead.

(g) "Livestock Branch" means the Livestock Branch of the Administration.

(h) "Director" means the Director of the Livestock Branch or any person authorized to act in his stead.

(i) "Division" means the Packers and Stockyards Division of the Livestock Branch.

(j) "Chief" means the Chief of the Division or any person authorized to act in his stead.

(k) "District Supervisor" means the District Supervisor of the Division for a given district or any person authorized to act in his stead.

(l) "Person" means individuals, partnerships, corporations, and associations.

(m) "Registrant" means any person registered pursuant to the provisions of the act and the regulations in this part.

(n) "Licenses" means any person licensed pursuant to the provisions of the act and the regulations in this part.

(o) "Posted Stockyard" means a livestock market determined by the Secretary to come within the definition of the term "stockyard" contained in section 302 of the act, notice of which determination shall have been given pursuant to such section.

(p) "Designation" means the designation of a city, and the markets and places in or near such city, pursuant to the provisions of title V of the act.

(q) "Schedule" means a tariff of rates and charges filed by stockyard owners, market agencies, and licensees.

ADMINISTRATION

§ 201.3 *Authority.* The Administrator shall perform such duties as the Secretary may require in enforcing the provisions of the act and the regulations in this part.

APPLICABILITY OF INDUSTRY RULES

§ 201.4 *Bylaws, rules and regulations, and requirements of exchanges, associations, or other organizations; applicability, establishment.* (a) The regulations in this part shall not prevent the legitimate application or enforcement of any valid bylaw, rule or regulation, or requirement of any exchange, association, or other organization, or any other valid law, rule or regulation, or requirement to which any packer, stockyard owner, market agency, dealer, or licensee

shall be subject which is not inconsistent or in conflict with the act and the regulations in this part.

(b) Market agencies selling livestock on commission shall not, in carrying out the statutory duty imposed upon them by section 307 of title III of the act, permit dealers, packers, or others representing interests which conflict with those of consignors, to participate, directly or indirectly, in the establishment or determination of regulations or practices governing the responsibilities, duties, or obligations of such market agencies to their consignors.

POSTING STOCKYARDS

§ 201.5 *Investigation, notice, and posting of stockyards.* After it has been determined, as provided in section 302 (b) of the act, that a stockyard comes within the definition of that term contained in section 302 (a) posting of a stockyard shall be accomplished by (a) giving notice of such determination to the stockyard owner by registered mail or in person, and (b) giving notice thereof to the public by posting copies of such notice in at least three conspicuous places at such stockyard and by publication of the determination in the FEDERAL REGISTER. A stockyard so posted shall remain subject to the provisions of the act and the regulations in this part until the stockyard has been deposited.

§ 201.6 *Investigation, notice, and depositing of stockyards.* After it has been determined, as provided in section 302 (b) of the act, that a stockyard no longer comes within the definition of that term contained in section 302 (a) depositing of a stockyard shall be accomplished by (a) giving notice of such determination to the stockyard owner by registered mail or in person, and (b) giving notice thereof to the public by posting copies of such notice in at least three conspicuous places at such stockyard and by publication of the determination in the FEDERAL REGISTER.

§ 201.7 *Change in name, address, management, control, or ownership to be reported by stockyard owner.* Whenever any change is made in the name or address or in the management or nature or in the substantial control or ownership of the business of a posted stockyard, the owner of such stockyard shall report such change in writing to the Chief at Washington, D. C., within ten days after making such change.

DESIGNATION OF LIVE POULTRY MARKETS

§ 201.8 *Investigation.* Such investigation as may be deemed necessary for the purpose of ascertaining whether a city, and markets and places in or near such city, shall be designated under title V of the act shall be made by the Administration.

§ 201.9 *Publication.* After it has been determined by the Secretary that a city, and markets and places in or near such city, should be designated under the provisions of title V of the act, public announcement thereof shall be made by publication in the FEDERAL REGISTER and one or more trade journals or newspapers.

REGISTRATION

§ 201.10 *Requirements and procedures.*

(a) Any person desiring to register as a market agency or dealer in compliance with the act shall furnish the information required by the Chief on forms of application for registration, copies of which will be furnished by the Chief or any District Supervisor on request, and shall, concurrently with the filing of such properly executed application, file the bond required in § 201.29.

(b) Each application for registration shall be filed in duplicate with the District Supervisor for the district in which the applicant proposes to operate, who shall promptly mail the original to the Director at Washington, D. C., and post the duplicate in a conspicuous place at the stockyard at which the applicant proposes to operate. Within 15 days from the date of such posting any interested person may file, in duplicate, a protest with the District Supervisor, a copy of which the District Supervisor shall promptly mail to the Director. After the expiration of such 15-day period, the Director shall record the registration of an applicant unless he shall have reason to believe that the application for registration should be denied because the applicant, in the case of an application for registration as a market agency, is unfit to engage in such activity by reason of the fact that the applicant is financially unable to fulfill the obligations that he would incur as a market agency or is clearly incapable of performing the services required of a market agency, or because the applicant, in the case of an application for registration as a market agency or dealer, is unfit to engage in the activity for which he has made application by reason of the fact that the applicant has within two years prior to filing his application engaged in a dishonest or fraudulent practice of the character prohibited by the act. In the event the Director has reason to so believe he promptly shall cause an administrative proceeding to be instituted, in which the applicant will be afforded opportunity for full hearing, for the purpose of showing cause why the application for registration should not be denied. In the event it is determined that the application should be denied, the applicant shall not be precluded as soon as conditions warrant from again applying for registration.

(c) Financial ability may be established by an applicant for registration as a market agency upon a showing that he has sufficient free working capital to pay normal expenses incident to operation of the type of business in which the applicant proposes to engage for a period of at least one month and, if the applicant proposes to purchase livestock on a commission basis for the accounts of others, that he has additional free working capital sufficient to finance such order buying transactions.

(d) Each registered market agency shall at all times maintain a financial condition at least equivalent to that required for recording of a registration or in lieu thereof furnish additional bond coverage or its equivalent.

(e) Any person regularly employed on salary, or other comparable method of compensation, by a packer to buy livestock at posted stockyards for such packer shall be subject to the registration requirements of the act and the regulations in this part. Such persons shall be registered as dealers to purchase livestock for slaughter only.

(f) Notwithstanding the foregoing provisions of this section, the Director may, if he deems it appropriate, without further procedure, record the registration of an applicant temporarily pending the completion of the 15-day protest period provided for in paragraph (b) of this section. Such temporary registration may be cancelled at any time by the Director.

(g) On or after July 1, 1954, no market agency engaged in selling livestock on an agency basis shall act in the capacity of clearing agency.

§ 201.11 *Officers, agents, and employees of registrants whose registrations have been suspended or revoked.* Any person who has been or is an officer, agent, or employee of a registrant whose registration has been suspended or revoked and who was responsible for or participated in the violation on which the order of suspension or revocation was based may not register within the period during which the order of suspension or revocation is in effect.

§ 201.12 *Registrants whose registrations have been suspended or revoked.* Any person whose registration has been suspended or revoked may not again register in his own name or in any other manner within the period during which the order of suspension or revocation is in effect, and no partnership, firm, or corporation in which any such person has a substantial financial interest will be registered during such period.

§ 201.13 *Registrants to report changes in name, address, control, or ownership.* Whenever any change is made in the name or address or in the management or nature or in the substantial control or ownership of the business of a registrant, such registrant shall report such change in writing to the Chief at Washington, D. C., within ten days after making such change.

LICENSING

§ 201.14 *Requirements and procedures.* An application for a license pursuant to section 502 (b) of the act may be made by any person subject to the licensing provisions of the act by properly filling out and delivering to the Chief at Washington, D. C., by mail or otherwise, a properly executed form of application. Copies of such form will be furnished by the Chief on request. A license will be issued to any applicant furnishing the required information unless the Secretary finds after opportunity for hearing that such applicant is unfit to engage in the activity for which he has made application by reason of his having at any time within two years prior to his application engaged in any practice of the character prohibited by the act or because he is financially unable to fulfill the obligations he would

incur as a licensee. Financial ability may be established upon a showing by the applicant that he has current assets equal to his current liabilities, and, in addition thereto, sufficient free working capital to equal twenty-five (25) percent of his average weekly purchases and sales of live poultry according to his books and records or according to such volume of business as may be reasonably anticipated in case of a new business. If the applicant fails to make such a showing, consideration will be given to a showing of other assets and other liabilities and other factors relating to his ability to fulfill his financial obligations which would be incurred as a licensee and to his reputation and integrity. If the applicant fails to make a satisfactory showing of financial ability, a license will be granted upon his executing and maintaining a satisfactory surety bond or equivalent thereof to a suitable trustee, in accordance with the provisions of §§ 201.35 to 201.38, inclusive.

§ 201.15 *Licensee must maintain satisfactory financial condition or furnish surety bond or equivalent.* The granting of a license hereunder is conditioned on the licensee maintaining at all times a financial condition at least equivalent to that required for the issuance of a license or in lieu thereof maintaining a satisfactory surety bond or its equivalent. The failure of a licensee to maintain such a financial condition or surety bond will render his license subject to suspension or revocation.

§ 201.16 *Licensee to report changes in name, address, control, or ownership.* Whenever any change is made in the name or address or in the management or nature or in the substantial control or ownership of the business of a licensee, such licensee shall report such change in writing to the Chief at Washington, D. C., within ten days after making such change.

SCHEDULES OF RATES AND CHARGES

§ 201.17 *Requirements as to filing by stockyard owners and market agencies; use of term "yardage" in stockyard schedules.* (a) Each stockyard owner and market agency shall plainly state in the schedule of rates and charges filed by the stockyard owner or market agency the effective date of the schedule, a description of the services rendered, the basis for classifying livestock by species or by weight, the stockyards at which the schedule applies, the name and business address of the stockyard owner or market agency, the kind of livestock covered by the schedule, and the conditions under which the services will be rendered and the rates or charges will be applied.

(b) The term "yardage" shall be used in schedules of rates and charges filed by stockyard owners to describe the basic stockyard facilities and services furnished, and shall, unless otherwise indicated therein, include: the use of suitable facilities for the safe and expeditious receiving, handling, feeding, watering, holding, sorting, selling, buying, weighing, delivery, and shipment of livestock; the services necessary and in-

cident to the receiving of livestock at the place of unloading; the furnishing of receipts for livestock to the carrier or consignor upon request; the delivery of livestock to the consignee; the obtaining of receipts evidencing delivery of livestock to the sales pens assigned to the consignee; the furnishing of sufficient potable water for livestock; the initial weighing of livestock when sold and delivered to scales; the issuance of scale tickets showing actual weight and other pertinent information concerning the livestock weighed; the removal of livestock from scales after weighing and delivery to holding pens; the holding of livestock for a reasonable time pending delivery or shipment to buyers; the delivery of livestock to buyers; and the obtaining of receipts for livestock delivered to buyers. Consignors, market agencies, dealers, packers, buyers, or other users of stockyard facilities and services requiring special facilities or services in addition to the basic facilities and services furnished at the stockyard may be required to pay a reasonable charge for such special facilities and services in addition to basic yardage charges.

§ 201.18 *Requirements as to filing by licensees.* Each licensee furnishing services or providing facilities for which a charge is made shall plainly state in the schedule of rates and charges filed by such licensee the effective date of the schedule, the city, place, or market at which the schedule applies, the name and business address of the licensee, the nature of the services or facilities furnished, and the terms or conditions under which the services or facilities will be furnished and the rates and charges will be applied.

§ 201.19 *Size, style, and number of copies.* Schedules of rates and charges and amendments thereto of stockyard owners, market agencies, and licensees shall be printed or typed on paper which is approximately 8 by 11 inches in size, the lines of print or type being horizontal to the 8-inch dimension. Three copies of each such schedule or amendment, one copy of which shall be signed by the stockyard owner, market agency, or licensee filing the same, shall be filed as provided in § 201.22.

§ 201.20 *Numbering, arrangement, and substance of schedules and amendments.* The schedules of each stockyard owner, market agency, and licensee shall be designated by successive numbers as filed. Each such schedule shall be divided into sections to cover the various classes of services or facilities furnished by the stockyard owner, market agency, or licensee. Each amendment of such schedule shall be numbered and shall show the number of the schedule of which it is an amendment. Each such amendment shall in its body make adequate reference to the sections of the schedule which are amended, and shall set forth in full such sections as amended or supplemented. Each amendment shall indicate the numbers of the amendments to the original schedule that remain in effect. After a stockyard owner, market agency, or licensee has filed thirty (30) amendments to its schedule, any further change in the rates or charges shall be embodied in a new

schedule which shall contain all rates and charges then in effect: *Provided, however,* That not more than ten (10) amendments relating to charges other than for feed may be filed without filing and publishing a new schedule.

§ 201.21 *Rules or regulations affecting rates and charges.* Each stockyard owner, market agency, and licensee shall set out in its schedule of rates and charges every rule or regulation which in any way changes or affects any rate or charge or the value of the services furnished thereunder and shall designate the rates or charges affected by each such rule or regulation.

§ 201.22 *Time and place stockyard owners, market agencies, and licensees are to file schedules and amendments.* Duplicate copies of all schedules and rules or regulations and amendments or supplements thereto required to be filed under the act by market agencies and stockyard owners shall be kept open for public inspection at their places of business. Licensees shall post duplicate copies of all schedules of rates, charges, and rentals in a conspicuous location in their places of business where they may be readily observed by any interested person. Unless the requirement as to filing and notice is specifically waived, as provided for in section 306 (c) of the act, all amendments to schedules or rules or regulations changing a rate or charge shall be filed with the Chief at Washington, D. C., not less than ten (10) days before the effective date thereof: *Provided, however* That in the case of a tariff supplement which relates only to changes in feed charges, determined on a cost plus specified margin basis as provided for in the basic tariff schedule of the stockyard involved, such tariff supplement shall be filed with supporting data, disclosing the average cost of the feed on hand, with the District Supervisor for the district in which the stockyard filing the supplement is located, and such supplement shall become effective two (2) days thereafter.

§ 201.23 *Joint Schedules.* If the same schedule is to be observed by more than one market agency or licensee, one schedule will suffice for all market agencies or licensees at any one stockyard, city, place, or market observing it whose names and business addresses are shown on it, together with the name of the organization, if any, by which adopted: *Provided,* That at least one copy of such schedule or amendment thereto is signed in ink by each of the market agencies or licensees observing the same and is filed with the Chief at Washington, D. C., and each market agency and licensee complies with the posting requirements of § 201.22.

§ 201.24 *Prescribed rates, charges, practices, and regulations.* After the effective date of any general order issued by the Secretary prescribing rates, charges, practices, or regulations governing the rendition of stockyard services or the selling or buying of livestock on a commission basis at a stockyard, or governing the rendition of any service or the use of any facilities in a city,

place, or market, designated by the Secretary under title V of the act, every market agency operating at such stockyard and every licensee operating in such city, place, or market shall conform to such order.

§ 201.25 *Proposed increases in existing charges must be supported by specific data.* Each stockyard owner, market agency, and licensee proposing an increase in existing charges, either by supplement or amendment to a filed tariff or by submission of a new tariff, shall forward with the supplement, amendment, or tariff proposing the increase information as to the reasons for the proposed increase and shall furnish specific and detailed data on which the proposed increase is based together with such additional information as the Director may require.

§ 201.26 *Form.* The schedules of each stockyard owner, market agency, and licensee shall be substantially in the form set out below:

Tariff or Schedule of Charges No. ____ or
Amendment No. ____ to Tariff or Schedule of
Charges No. ____ of _____

(Operator's name)

(Operator's business address)

(Name posted stockyard or designated market where charges apply)

(Location of posted stockyard or designated market where charges apply)

Issued _____

Effective _____

(Not less than ten days after receipt in Washington office)

(Insert here, dividing into sections, the various classes of service performed by the stockyard owner or operator, market agency, or licensee, the kind of livestock or live poultry concerning which services are performed, the nature of the services, and the terms or conditions under which the services are rendered.)

(Operator's name)

(Signed by) _____

(Owner, partner, or official designation)

GENERAL BONDING PROVISIONS

§ 201.27 *Underwriter substantial equivalents in lieu of bonds.* The surety on bonds maintained under §§ 201.29 to 201.38 shall be a surety company approved by the United States Treasury Department for bonds executed to the United States. Except as otherwise provided in § 201.29, any other form of indemnity which is found by the Chief to afford protection substantially equivalent to that of a surety bond may be accepted in lieu of a bond. The requirements of §§ 201.28 to 201.38 shall be applicable to equivalents furnished in lieu of bonds.

§ 201.28 *Duplicates of bonds or equivalents to be filed with the Chief, Washington, D. C.* Fully executed duplicates of bonds or equivalents maintained under §§ 201.29 to 201.38 shall be filed with the Chief at Washington, D. C.

MARKET AGENCY AND DEALER BONDS

§ 201.29 *Market agencies and dealers to file on or before commencing opera-*

tions. Every market agency and dealer, except packer buyers registered as dealers to purchase livestock for slaughter only, shall, on or before the date of commencement of operations, execute and thereafter maintain, or cause to be executed and thereafter maintained, a reasonable bond, to a suitable trustee, to secure the performance of obligations incurred as such market agency or dealer at posted stockyards: *Provided,* That on or after July 1, 1954, the only bond equivalent that may be filed by an applicant to operate as a market agency, selling on commission, shall be one representing a pledge of fully negotiable bonds of the United States Government. The bond of every registrant, acting in the capacity of clearing agency, and thereby being responsible for the financial obligations of other registrants, shall show the name of the person for whom the clearing agency holds itself out to be responsible and whose obligations are covered by the bond. Any person registered as both a market agency and a dealer shall file a bond to cover his market agency operations and a separate bond to cover his dealer operations.

§ 201.30 *Amount of market agency and dealer bonds.* Except as hereinafter otherwise provided, the amount of each market agency and dealer bond shall be not less than the nearest multiple of one thousand dollars (\$1,000) above the average amount of sales or purchases, or both, of livestock by such market agency or dealer at posted stockyards or, in the absence of segregated records, all sales and purchases, during a period equivalent to two business days, based on the total number of the business days, and the total amount of such sales or purchases, or both, in the preceding 12 months, or in such part thereof in which such market agency or dealer did business, if any. For the purpose of this computation, 260 shall be deemed the number of business days in any year. When the principal part of the livestock handled by a market agency or dealer is sold or purchased at public auction, the amount of the bond shall be not less than the nearest multiple of one thousand dollars (\$1,000) above an amount determined by dividing the total value of the livestock sold or purchased, or both, at auction at posted stockyards or, in the absence of segregated records, all sales and purchases during the preceding 12 months, or such part thereof as the market agency or dealer was engaged in business, by the actual number of auction sales at which livestock was sold or purchased by the market agency or dealer, but in no instance shall the divisor be greater than 130. In no case shall the amount of bond be less than five thousand dollars (\$5,000). When the sales or purchases, or both, calculated as hereinbefore specified, exceed fifty thousand dollars (\$50,000) the amount of the bond need not exceed fifty thousand dollars (\$50,000) plus ten (10) percent of the excess. Whenever the Chief finds any bond required by §§ 201.29 to 201.34 to be inadequate, such bond upon notice, shall be adjusted to meet the requirements of this section. An applicant for registration as a mar-

ket agency who fails to meet the financial requirements of § 201.10 shall furnish, in addition to such bond coverage, additional bond coverage equal to the amount by which he fails to meet such financial requirements. If a person applying for registration as a market agency or dealer has been engaged in the business of handling livestock in such capacity prior to the date of the application, the value of the livestock so handled, if representative of his future operations, shall be used in computing the amount of bond in accordance with the provisions of this section.

§ 201.31 *Conditions in market agency and dealer bonds.* Each market agency and dealer bond shall contain conditions applicable to the activity or activities in which the person or persons named as principal in the bond propose to engage, which conditions shall be as follows or in terms to provide equivalent protection.

(a) When the principal sells on commission: If the said principal shall safely keep and faithfully and promptly account for and pay to the owners or their duly authorized agents the proceeds of sales of all livestock received for sale on a commission basis by the said principal at a public stockyard as defined in the Packers and Stockyards Act.

(b) When the principal buys on commission: If the said principal shall faithfully and promptly execute all orders for purchases of livestock undertaken by said principal on a commission basis, on behalf of buyers, at a public stockyard as defined in the Packers and Stockyards Act, and shall safely keep and properly disburse all funds coming into the hands of said principal for the purpose of making such livestock purchases, paying for all livestock so purchased.

(c) When the principal operates as a dealer (trader). If the said principal shall pay, when due, to the person or persons entitled thereto the purchase price for all livestock purchased by said principal at a public stockyard as defined in the Packers and Stockyards Act.

(d) When the principal "clears" and thus is responsible for the obligations of other registrants: If the said principal, acting in the capacity of broker or clearing agency and thereby being responsible for the financial obligations of other registrants at a public stockyard as defined in the Packers and Stockyards Act, viz: (insert here the names of such registrants) ----- shall (1) pay when due, to the person or persons entitled thereto the purchase price for all livestock purchased by such other registrants; (2) safely keep and properly disburse all funds coming into the hands of said principal for the purpose of making such purchases; and (3) safely keep and faithfully and promptly account for and pay to the owners or their duly authorized agents the proceeds of sales of all livestock received for sale on a commission basis by such other registrants for whom said principal acts as broker or clearing agency.

§ 201.32 *Trustee in market agency and dealer bonds.* Bonds shall be in favor of a financially responsible, dis-

interested trustee, satisfactory to the Chief. Secretaries or other officers of livestock exchanges or of similar trade associations, and banks and trust companies, or their officers, are deemed suitable trustees.

§ 201.33 *Persons damaged may maintain suit to recover on market agency and dealer bonds.* Each bond shall contain a provision that any person damaged by failure of the principal to comply with the condition clauses of the bond may maintain suit to recover on the bond even though such person is not a party named in the bond.

§ 201.34 *Termination of market agency and dealer bonds.* Each bond shall contain a provision requiring that at least ten days' notice in writing be given to the Chief at Washington, D. C., by the party terminating such bond in order to effect its termination.

LICENSEE BONDS

§ 201.35 *Standards for bonds submitted by applicants for licenses and licensees.* Surety bonds submitted by applicants for licenses and by licensees as provided for by §§ 201.14 and 201.15 shall meet the following standards:

(a) Each licensee bond shall contain conditions applicable to the activity or activities in which the person or persons named as principal in the bond propose to engage, which conditions shall be as follows or in terms to provide equivalent protection.

(1) When the applicant or licensee sells live poultry on a commission or agency basis, the bond shall contain the following clause:

If the said principal shall safely keep and faithfully and promptly account for and pay to the owners or their duly authorized agents the proceeds of sales of all live poultry received for sale on a commission basis by the said principal in his capacity as a licensee.

(2) When the applicant or licensee operates as a dealer, the bond shall contain the following clause:

If the said principal shall pay when due, to the person or persons entitled thereto the purchase price of all live poultry purchased by said principal in his capacity as a licensee.

(b) The amount of such bond shall be at least equal to the amount by which the applicant or licensee has failed to meet the financial requirements of the regulations in this part.

§ 201.36 *Trustee in licensee bonds.* Bonds shall be in favor of a financially responsible, disinterested trustee, satisfactory to the Chief. Secretaries of trade associations, and banks and trust companies, or their officers, are deemed suitable trustees.

§ 201.37 *Persons damaged may maintain suit to recover on licensee bonds.* Each bond shall contain a provision that any person damaged by failure of the principal to comply with the condition clauses of the bond may maintain suit to recover on the bond even though such person is not a party named in the bond.

§ 201.38 *Termination of licensee bonds.* Each bond shall contain a provision requiring that at least ten days'

notice in writing be given to the Chief at Washington, D. C., by the party terminating such bond in order to effect its termination.

PROCEEDS OF SALE.

§ 201.39 *Payment to be made to consignor or shipper by market agency and licensees; exceptions.* (a) No market agency or licensee shall, except as provided in paragraph (b) of this section, pay the net proceeds or any part thereof, arising from the sale of livestock or live poultry consigned to it for sale, to any person other than the consignor or shipper of such livestock or live poultry except upon an order from the Secretary or a court of competent jurisdiction, unless (1) such market agency or licensee has reason to believe that such person is the owner of the livestock or live poultry, (2) such person holds a valid, unsatisfied mortgage or lien upon the particular livestock or live poultry, or (3) such person holds a written order authorizing such payment executed by the owner at the time of or immediately following the consignment of such livestock or live poultry.

(b) The net proceeds arising from the sale of livestock, the ownership of which has been questioned by a market agency duly authorized to inspect brands, marks, and other identifying characteristics of livestock may be paid in accordance with the directions of such brand inspection agency if the laws of the State from which such livestock originated or was shipped to market make provision for payment of the proceeds in the manner directed by the brand inspection agency and if the market agency to which the livestock was consigned, and the consignor or consignors concerned, are unable to establish the ownership of the livestock within a reasonable period of time, not to exceed 60 days after sale.

§ 201.40 *Market agencies or licensees not to use shippers' proceeds or funds received for purchases on commission for own purposes through "bank float" or otherwise.* No market agency or licensee engaged in selling or buying livestock or live poultry on a commission or agency basis shall, except in accordance with separate, specific, prior, written authorization given by its consignors or shippers, use shippers' proceeds or funds received for the purchase of livestock or live poultry on order for purposes of its own either through recourse to the so-called "float" in the bank account in which the proceeds or funds are deposited or in any other manner.

§ 201.41 *Market agencies and licensees to make faithful and prompt accounting to consignors or shippers or other interested persons of whom they have knowledge.* No market agency or licensee shall make such use or disposition of funds in its possession or control as will endanger or impair the faithful and prompt accounting for and payment of such portion thereof as may be due the consignor or shipper of livestock or live poultry or other persons having an interest therein of which interest such market agency or licensee has knowledge.

§ 201.42 *Custodial accounts for shippers' proceeds.* Every market agency and licensee shall, except when gross proceeds are handled in accordance with separate, specific, prior, written authorization given by its consignors or shippers, deposit the gross proceeds received from the sale of livestock or live poultry handled on a commission or agency basis in a separate bank account designated as follows (using the name of "John Doe Commission Company" as an example) "John Doe Commission Company—Custodial Account for Shippers' Proceeds". Such account shall be drawn on only for payment of the net proceeds to the consignor or shipper, or such other person or persons whom such market agency or licensee has knowledge is entitled thereto, and to obtain therefrom the sums due the market agency or licensee as compensation for its services, as set out in its tariffs, and for such sums as are necessary to pay all legal charges against the consignment of livestock or live poultry which a market agency or licensee may, in its capacity as agent, be required to pay for and on behalf of the consignor or shipper. The market agency or licensee in each case shall keep such accounts and records as will at all times disclose the names of the consignors and the amount due and payable to each from funds in the Custodial Account for Shippers' Proceeds. For the proper maintenance of such accounts and in order to expedite examination thereof by duly authorized representatives of the Secretary, the market agency or licensee in each case shall keep the accounts in a manner which will clearly reflect the handling of the funds in compliance with the requirements of this section.

ACCOUNTS AND RECORDS

§ 201.43 *Market agencies and licensees to make prompt accounting and transmittal of net proceeds.* Each market agency shall, before the close of the next business day following the sale of any livestock consigned to it for sale, transmit or deliver to the consignor or shipper of the livestock, or his duly authorized agent, in the absence of any knowledge that any other person, or persons, has any interest in the livestock, the net proceeds received from the sale and a true written account of such sale, showing the number, weight, and price of each kind of animal sold, the name of the purchaser, the date of sale, the commission, yardage, and other lawful charges, and such other facts as may be necessary to complete the account and show fully the true nature of the transaction. Each licensee, acting as a broker, factor, or commission merchant, shall, before the close of the next business day following the sale of live poultry consigned to it for sale, transmit or deliver to the consignor or shipper of the live poultry, or his duly authorized agent, in the absence of any knowledge that any other person, or persons, has any interest in the live poultry, the net proceeds received from the sale and a true written account of such sale showing the number of pounds and the price of each kind of poultry sold, the date of sale, the name of the purchaser, the commis-

sion, and other lawful charges, and such other facts as may be necessary to complete the account and show fully the true nature of the transaction.

§ 201.44 *Market agencies and licensees to render prompt accounting for purchases on order.* Each market agency and licensee shall, promptly following the purchase of livestock or live poultry on a commission or agency basis, transmit or deliver to the person for whose account such purchase was made, or his duly authorized agent, a true written account of the purchase showing the number, weight, and price of each kind of animal purchased, or the weight and price of each kind of live poultry purchased, the names of the persons from whom purchased, the date of purchase, the commission and other lawful charges, and such other facts as may be necessary to complete the account and show fully the true nature of the transaction.

§ 201.45 *Market agencies and licensees to make records available for inspection by owners, consignors, and purchasers.* Each market agency and licensee engaged in the business of selling or buying livestock or live poultry on a commission or agency basis shall, on request from an owner, consignor, or purchaser, make available copies of bills covering charges paid by such market agency or licensee for and on behalf of the owner, consignor, or purchaser which were deducted from the gross proceeds of the sale of livestock or live poultry or added to the purchase price thereof when accounting for the sale or purchase.

§ 201.46 *Stockyard owners, registrants, and licensees to keep daily record.* (a) Each stockyard owner, in addition to other necessary records, shall make and keep an accurate record of the number of head of each class of livestock received, shipped, or disposed of locally each day. Each registrant buying or selling livestock on a commission basis or otherwise, in addition to other necessary records, shall make and keep an accurate record of the number and weight of livestock bought, sold, or otherwise disposed of each business day, the prices paid or received therefor, and the charges made for services.

(b) Each licensee buying or selling live poultry on a commission basis or otherwise, in addition to other necessary records, shall make and keep an accurate record of the number of pounds of live poultry bought or sold each business day, the prices paid or received therefor, and the charges made for services and facilities.

§ 201.47 *Market agencies and licensees to disclose business relationships, if any, with purchasers.* No market agency or licensee acting as a broker, factor, or commission merchant shall knowingly sell or dispose of consigned livestock or live poultry to any person in whose business such market agency or licensee, or any stockholder, owner, officer, or employee thereof, has a financial interest, or to any person who has a financial interest in such market agency or licensee, unless the market agency or

licensee discloses on the accounts of sales issued to the consignors concerned the nature of the relationship existing between the market agency or licensee and the buyers of the livestock or live poultry and then only if the livestock or live poultry has been offered for sale on the open market and the purchaser's bid exceeds that of other bidders. The provisions of this section shall not be construed to permit any transaction prohibited by §§ 201.57 and 201.60 relating to sales of livestock or live poultry out of consignments to owners, officers, agents, or employees of market agencies or licensees to which the livestock or live poultry was consigned.

§ 201.48 *Sellers of live poultry to issue sales tickets at designated markets.* With respect to each purchase or sale of live poultry by licensees at designated markets a ticket shall be prepared by the seller at the time of sale. Each ticket shall show the name of the designated market, the date of the transaction, the names of the seller and buyer, the number of coops, kinds of poultry, price per pound, and such terms and conditions as the parties may agree upon. Each ticket shall be legibly signed by the seller and the buyer or authorized representatives thereof and when thus signed shall constitute the contract of purchase and sale. One copy of such ticket shall be retained by the seller. On request a copy shall be furnished to the buyer. A copy shall be transmitted with an accounting of the sale to the owner or consignor of the live poultry if the transaction is one on an agency basis. Settlement between seller and buyer shall be on the basis of the duly executed and signed tickets required by this section unless good cause is shown for settlement on some other basis.

§ 201.49 *Requirements regarding scale tickets evidencing weighing of livestock or live poultry.* When livestock or live poultry is weighed for purposes of purchase or sale, a scale ticket shall be issued which shall show the name of the agency performing the weighing service, the date of the weighing, the number of the scale or other information identifying the scale upon which the weighing is performed, the name of the seller, the name of the buyer, and the name of the consignor, or understandable abbreviations of such names. In the case of livestock, in addition to the information referred to in this section, the scale ticket shall show the number of head, kind, and actual weight of the livestock, the amount of dockage, if any, and the name or initials of the person who weighed the livestock. In the case of live poultry, in addition to the information referred to in this section, the scale ticket shall show the number of coops weighed, the gross, tare, and net weights, and the name or initials of the person operating the scale at the time the weighing is done. At posted stockyards only stockyard owners, or State agencies registered as market agencies (when weighing is required to be performed by State agencies) shall weigh livestock and execute and issue scale tickets. In live poultry marketing areas designated under the act only licensees

shall weigh live poultry and execute and issue scale tickets. Scale tickets issued under this section shall be in triplicate form, serially numbered, and if such tickets are used on a type-registering beam they shall conform to the specifications of the National Bureau of Standards. One copy shall be retained by the stockyard owner, market agency, or licensee issuing the same, and one copy shall be furnished to the seller and one copy to the buyer. Duly authenticated copies shall be furnished on request to any owner or consignor of livestock or live poultry. No change in weight shall be made except upon a reweighing of the livestock or live poultry. In the case of an error of the weighmaster in preparing the scale ticket, other than in the weight, he shall prepare a corrected scale ticket showing the corrections made and stating on the back thereof the reasons for such changes. In the event of an error in the preparation of a scale ticket, other than in the weight, due to misinformation having been furnished by the seller or buyer, the weighmaster upon request of the seller or buyer shall issue another ticket bearing appropriate corrections or a correction slip which shall show thereon the changes made and on the back thereof the reasons for such changes. Before such correction ticket or slip shall be issued the weighmaster shall require the person requesting the change to sign such ticket or slip. The correction ticket or slip shall be attached to the original ticket, bear the same serial number, and show on its face that it is a correction ticket or slip.

§ 201.50 *Records; disposition.* No stockyard owner, registrant, or licensee shall destroy or dispose of any books, records, documents, or papers which contain, explain, or modify transactions in his business under the act, without the consent in writing of the Chief.

§ 201.51 *Contracts; stockyard owners to furnish copies of.* Each stockyard owner shall furnish to the Chief at Washington, D. C., true copies of all contracts, and amendments thereof, between such stockyard owner and packing, rendering, serum, fertilizer, or other establishments relating to the business of the stockyard owner, except when it is shown that copies of such documents in the form in which they are effective are already in the possession of the United States Government at Washington, D. C., and available to the Secretary.

§ 201.52 *Information as to sales on commission or agency basis not to be furnished to unauthorized parties.* No market agency or licensee, in connection with the sale of livestock or live poultry on a commission or agency basis, shall give to any person, except a person authorized by the Assistant Administrator to obtain such information or a person who has a financial interest in the consignment or a statement in writing from the owner thereof authorizing the market agency or licensee to furnish such information, any copy of an account of sale or other paper or information which will reveal to such person information

relating to the price at which livestock or live poultry was sold or the amount of the net proceeds thereof remitted to the owner or consignor: *Provided, however* That this shall not prevent a market agency or licensee from furnishing to a trucker, hauling livestock or live poultry for hire, information as to the weight of such livestock or live poultry in order that the trucker may have the necessary facts on which to base his hauling charges: *And provided further* That this shall not prevent a market agency or licensee from giving to recognized market news reporting services such information as may be necessary to enable such reporting services to furnish the public with market news data.

TRADE PRACTICES

§ 201.53 *Livestock and live poultry market conditions and prices; persons subject to act not to circulate misleading reports.* No packer, stockyard owner, registrant, or licensee shall knowingly make, issue, or circulate any false or misleading report, record, or representation concerning livestock or live poultry market conditions or the price or sale of any livestock or live poultry.

§ 201.54 *Gratuities.* (a) No stockyard owner, or market agency or licensee engaged in the business of selling or buying livestock or live poultry on a commission basis or otherwise, shall give any trucker delivering livestock or live poultry for owners or consignors any gratuities, money, meals, or things of value except advertising novelties having a total value not in excess of 50 percent. This regulation shall not preclude loans by a stockyard owner, market agency, or licensee to a trucker or shipper of livestock or live poultry which are evidenced by an interest-bearing note, properly secured, and having a definite due date.

(b) No stockyard owner shall receive, or knowingly permit any officer, agent, or employee of the stockyard to receive, from any market agency, dealer, packer, or other user of such stockyard, and no market agency, dealer, or packer shall offer, make, or give to any stockyard owner, or to any officer, agent, or employee of a stockyard, any gift, payment, loan, or other consideration, except the established charges for, or in connection with, the furnishing of stockyard services.

(c) No market agency engaged in selling or buying livestock on a commission basis or otherwise, shall receive, or knowingly permit any owner, officer, agent, or employee of the market agency to receive, from any consignor, principal, dealer, packer, or other user of such market agency services, and no dealer, packer, or market agency shall offer, make, or give to any owner, officer, agent, or employee of a market agency, any gift, payment, loan, or other consideration except the established charges for, or in connection with, the furnishing of market agency services.

§ 201.55 *Purchases and sales to be made on actual weights.* When livestock or live poultry is bought or sold on a weight basis by persons subject to the provisions of the act, settlement therefor shall be on the basis of the

weight shown on the scale ticket or correction ticket, as the case may be. Any weight figures shown on accounts of sale, accounts of purchase, invoices, bills, or statements issued by persons subject to the act shall be actual weights obtained on stockyard scales, in the case of livestock, or on scales operated by licensees, in the case of live poultry, at the place and at the time of the consummation of the transactions in question or, if not, shall be appropriately explained on the accountings, bills, or statements issued.

§ 201.56 *Filling orders; price to be paid.* No market agency engaged in the business of selling and buying livestock on a commission basis shall use any livestock consigned to it for sale to fill orders, except as provided in § 201.62, and then only at a price higher than the highest available bid on such livestock after it has been offered for sale on the open market in the customary manner.

§ 201.57 *Livestock sold at auctions; purchases from consignments.* (a) No market agency engaged in selling consigned livestock at auction shall permit its owners, officers, agents, or employees to purchase livestock from consignments for resale for their own speculative accounts, nor shall it permit its owners, officers, agents, or employees to enter into any agreements, relationships, or associations with other parties whereby such owners, officers, agents, or employees shall share, directly or indirectly, in profits realized from resale of livestock purchased out of consignments; nor shall such market agency permit auctioneers or weighmasters, or other employees performing duties of comparable responsibility in connection with the actual conduct of auction sales by the market agency, to purchase livestock out of consignments for any purpose for their own account. This shall not preclude employees of the market agency, whose duties in connection with the selling of livestock by auction do not involve the making of determinations or decisions directly affecting the interests of consignors, from purchasing livestock from consignments for their own accounts for purposes other than speculative resale, provided all such purchases are made by such employees bidding openly and competitively at auction against other buyers and, on the accounts of sale issued, disclosure is made to the consignors concerned of the relationship of the buyers to the market agency.

(b) No market agency engaged in selling livestock at auction shall weigh livestock from its consignments to a dealer account it maintains except when necessary to protect the legitimate interests of consignors and then only after having complied with the requirements of § 201.59. Whenever consigned livestock is offered for sale at auction and is bought by the market agency, or by any person in whose business the market agency has a financial interest, the name of the buyer shall be publicly announced by the market agency at the conclusion of the transaction with respect to such livestock and the accounts of sales furnished the consignors concerned shall disclose the information required by

§ 201.47. The provisions of this section shall not preclude bona fide owners or consignors of livestock from exercising such rights as are conferred on them by the laws of the State in which the auction market is located relating to sales of livestock at auction.

§ 201.58 *Sales to be to highest bidder without intermingling and not conditioned on sales of other consignments.* Every market agency and licensee engaged in the business of selling livestock or live poultry on a commission or agency basis shall offer the livestock or live poultry consigned to it for sale on the open market and shall sell such livestock or live poultry at the highest available bid. In all instances the market agency or licensee shall sell each consignment of livestock or live poultry on its merits and shall not intermingle, prior to sale and for purpose of sale, the livestock or live poultry belonging to one consignor with the livestock or live poultry belonging to another and different consignor unless the consent of the several consignors has been obtained in advance. A market agency or licensee shall not make the sale of one consignment of livestock or live poultry conditional on the sale of another and different consignment of livestock or live poultry without the consent of the owners. If livestock or live poultry belonging to different owners is graded and sold in lots, settlement shall be on the basis of the weight shown on the scale ticket or correction ticket, as the case may be, issued at the time the livestock or live poultry is weighed or graded.

§ 201.59 *Taking consignments into own account; accounting; resales.* If a person registered to operate both as a market agency and dealer, or licensed under the act, takes to his own account livestock or live poultry consigned to him for sale on a commission or agency basis, he shall do so only after he has offered such livestock or live poultry for sale on the open market in the customary manner, and then such livestock or live poultry shall be taken into his account only at a price higher than the highest available bid. In such event the market agency or licensee, in accounting to the owner or consignor of the livestock or live poultry, shall show on the account of sale as the purchaser of the livestock or live poultry the full, true, and correct name of the market agency or licensee. In the event a market agency or licensee takes to its account livestock or live poultry belonging to one owner and resells such livestock or live poultry in one lot on the same day at a price higher than that remitted to the owner, such additional price shall be remitted to the owner in a separate accounting.

§ 201.60 *Consignments on commission; sale of livestock—(a) Consignments on commission; officer agent, or employee of consignee not to purchase from.* No market agency or licensee, except as provided in § 201.57, shall sell any consigned livestock or live poultry to any owner, officer, agent, or employee of the market agency or licensee for his own account, or enter, or permit any such owner, officer, agent, or employee,

to enter, into any agreement, relationship, or association with anyone whereby such market agency or licensee, or any owner, officer, agent, or employee thereof, shares in the profits realized from the resale of livestock or live poultry purchased from a consignment to such market agency or licensee.

(b) *Sale of livestock belonging to a market agency or its officers or employees.* No market agency shall sell livestock belonging to it or to its owners, officers, agents, or employees, or sell livestock in which it or its owners, officers, agents, or employees have an ownership interest, in such manner as to prejudice the interests of consignors who have consigned livestock to the market agency for sale for their accounts.

§ 201.61 *Market agencies engaged in selling livestock on commission—(a) Market agencies engaged in selling livestock on commission not to finance or clear dealers.* No market agency registered to sell livestock on commission shall finance, clear, or furnish bookkeeping or similar services to a dealer; nor shall such a market agency enter into any agreement, relationship, or association with dealers or other buyers which might have a tendency to lessen the loyalty of the market agency to its consignors or impair the quality of its selling services. This shall not preclude a market agency registered to sell and to buy livestock on a commission basis from purchasing livestock on order for buyers, provided such orders are handled in accordance with the requirements of §§ 201.56 and 201.62.

(b) *Market agencies engaged in purchasing livestock on commission not to purchase livestock from clearers to fill orders.* No market agency registered to buy livestock on commission shall, in filling orders, purchase livestock from dealers whose operations it clears, nor shall it enter into any agreement, relationship, or association with dealers or others which will impair the quality of the buying services furnished its principals.

§ 201.62 *Using consigned livestock to fill orders.* Whenever a market agency uses livestock consigned to it for sale to fill, in whole or in part, an order which it has received from a buyer, the market agency shall be presumed with respect to such livestock to be acting solely as the agent of the consignor and shall collect for its services only the selling commissions provided in its tariff: *Provided*, That to offset expenses incurred by market agencies in soliciting bids on consigned livestock from off-the-market buyers, all the market agencies at a stockyard may provide in their tariffs for assessing such buyers a uniform expense charge not to exceed one-half of the order-buying charges in effect at the market.

§ 201.63 *Consignments; when not to be solicited.* No market agency or licensee shall solicit consignments of livestock or live poultry at or on stockyard premises or in designated areas or after such livestock or live poultry has been billed or consigned to a market agency or licensee and is in course of transporta-

tion for delivery to the consignee at a posted stockyard or in a designated area.

§ 201.64 *Consignments; guarantees not to be given.* No market agency or licensee, in soliciting consignments of livestock or live poultry, shall guarantee to the owner or consignor thereof that such livestock or live poultry will be sold at a specific price or prices if consigned to the market agency or licensee for sale on a commission basis.

§ 201.65 *Restrictions on employment of salesmen on split commission basis.* No market agency engaged in selling livestock on a commission basis for the accounts of consignors shall employ a livestock salesman under an agreement or arrangement whereby such salesman is to assume the responsibility of selling a species or class of livestock received by the market agency from all consignors but whose compensation is to be based on a split of only those commission charges assessed consignors considered to be "followers" of the particular salesman. This shall not preclude a market agency handling a small volume of livestock of a certain species from employing a salesman to sell such species under an agreement or arrangement whereby the compensation for such salesman's services is to be based on a split of the commissions realized by the market agency from all consignors whose livestock the salesman is to sell; nor shall it preclude a market agency from making incentive payments, or bonus payments, to salesmen based on the over-all operating results of the market agency.

§ 201.66 *Market agencies not to employ packers or dealers.* No market agency engaged in selling livestock on a commission basis for the accounts of consignors or in purchasing livestock on a commission basis for the accounts of principals shall, after having accepted delivery of consignments, or after having accepted orders from buyers, and until the completion of the weighing of the livestock to buyers, utilize the services of packers or separately registered dealers, or their employees, in the furnishing by such market agency of its services.

§ 201.67 *Packers or dealers not to own or finance selling agencies.* No packer subject to the act, or separately registered dealer, shall have an ownership interest in, finance, or participate in the management or operation of a market agency registered to sell livestock at posted stockyards on a commission basis; nor shall such a market agency permit such a packer, or separately registered dealer, to have an ownership interest in, finance, or participate in the management or operation of such market agency.

§ 201.68 *Packers not to own or finance order buyers.* No packer subject to the act shall have an ownership interest in, finance, or participate in the management or operation of a market agency registered to purchase livestock at posted stockyards on a commission basis; nor shall such a market agency permit a packer to have an ownership interest in, finance, or participate in the

management or operation of such market agency.

§ 201.69 *Furnishing information to competitor buyers.* No packer, dealer, or order buyer, engaged in purchasing livestock at a posted stockyard in person, or through employed buyers, shall, prior to, or during the conduct of, his buying operations at such stockyard, furnish competitor packers, dealers, order buyers, or their buyers or representatives, similarly engaged in buying livestock at the stockyard, with information concerning his proposed buying operations at the stockyard, such as the species, classes, volume of livestock to be purchased, or prices to be paid; nor shall such packer, dealer, or order buyer furnish any other buying information to competitor buyers for the purpose or with the effect of restricting or limiting competition, manipulating livestock prices, or controlling the movement of livestock through posted stockyards.

§ 201.70 *Restriction or limitation of competition between packers and dealers prohibited.* Each packer subject to the act shall conduct his buying operations at posted stockyards, and at other locations, in competition with, and independently of, other packers. Each packer and dealer engaged in purchasing livestock at posted stockyards, in person or through employed buyers, shall conduct his buying operations at such stockyards in competition with, and independently of, other packers and dealers similarly engaged.

SERVICES

§ 201.71 *Accurate weights.* Each stockyard owner, market agency, or licensee who weighs livestock at a posted stockyard or live poultry in a designated area shall install, maintain, and operate the scales used for such weighing so as to insure accurate weights.

§ 201.72 *Scales; testing of.* Each stockyard owner, market agency, or licensee who weighs livestock at a posted stockyard or live poultry in a designated area for purposes of purchase or sale or who furnishes scales for such purposes shall cause such scales to be tested properly by competent agencies at suitable intervals in accordance with instructions of the Chief, copies of which will be furnished to each stockyard owner, market agency, or licensee.

§ 201.73 *Scale operators to be competent.* Stockyard owners, market agencies, and licensees shall employ only competent persons of good character and known integrity to operate scales at posted stockyards or in designated areas for weighing livestock or live poultry for the purpose of purchase or sale. They shall require such employees to operate the scales in accordance with instructions of the Chief, copies of which will be furnished to each stockyard owner, a market agency, or licensee who employs persons to operate scales used for the purposes herein indicated. They also shall require such employees to "rotate" in their weighing assignments at stockyards operating three or more scales. Any person found to be operating scales incorrectly, carelessly, in violation of in-

structions, or in such manner as to favor or injure any party or agency through incorrect weighing or incorrect weight recording shall be removed from his weighing duties.

§ 201.74 *Scales; reports of tests and inspections.* Each stockyard owner, market agency, or licensee who weighs livestock at a posted stockyard or live poultry in a designated area for purposes of purchase or sale, shall furnish reports of tests and inspections of scales used for such purposes on forms which will be furnished by the Chief on request. The stockyard owner, market agency, or licensee shall retain one copy of such form when executed, shall cause one copy to be retained by the agency conducting the test and inspection of the scales, and shall deliver the third copy to the District Supervisor having charge of the work under the act in the particular district in which the scales being tested are located. In case the test and inspection of scales as herein required are conducted by an agency of a State or municipality or other governmental subdivision, the forms ordinarily used by such agency for reporting tests and inspections of scales shall be accepted in lieu of the forms furnished for this purpose by the Chief: *Provided*, That the test and inspection forms used by the State or other governmental agency contain substantially the same information as that required by the official form.

§ 201.75 *Scales; repairs, adjustments, or replacements after inspection.* No scale shall be used by any stockyard owner, market agency, or licensee, at a posted stockyard or in a designated area, unless it has been found upon test and inspection to be in a condition to give accurate weights. If any repairs, adjustments, or replacements are made upon such a scale it shall not be placed in use until it has again been tested and inspected in accordance with the regulations in this part.

§ 201.76 *Reweighing.* Stockyard owners, market agencies, and licensees, or their employees, shall reweigh livestock or live poultry on request of duly authorized representatives of the Secretary.

§ 201.77 *Weighing for purposes other than purchase or sale.* Every stockyard owner, market agency, and licensee who weighs livestock or live poultry, at a posted stockyard or in a designated area, for purposes other than purchase or sale shall show on the scale tickets or other records used in connection with such weights the fact that they are not weights for the purpose of purchase or sale.

§ 201.78 *Packer scales.* Packers owning or operating scales on which livestock is weighed for purposes of purchase in commerce for slaughter shall install, maintain, and operate such scales so as to insure accurate weights. They shall cause such scales to be tested properly by competent agencies at suitable intervals in accordance with instructions of the Chief and shall submit to the District Supervisor copies of reports on at least two scale tests made

during the year. They shall employ only competent persons of good character and known integrity to operate such scales and shall require such employees to operate the scales in accordance with instructions of the Chief. Any employee found to be operating scales incorrectly, carelessly, in violation of instructions, or in such manner as to favor or injure any party or agency through incorrect weighing or incorrect weight recording shall be removed from his weighing duties. For each draft of livestock weighed for purposes of purchase or sale a scale ticket shall be issued showing, in addition to the weight of the livestock and the amount of dockage, if any, the name of the seller, the name of the buyer, the species, number of head, initials of weigher, and date of weighing. Scale tickets shall be executed at least in duplicate, one copy being supplied to the seller and one copy being retained by the packer for a period of not less than six months. Scale tickets printed on typeregistering weighbeams shall conform to the specifications of the National Bureau of Standards. No scale shall be used by any packer in weighing livestock for purchase unless it has been found, upon test and inspection, to be in condition to yield accurate weights. If any repairs, adjustments, or replacements are made upon such a scale it shall not be used until it has been retested and found accurate.

§ 201.79 *Facilities and assignment of pens—(a) Facilities and services at posted stockyards or designated cities, markets, or places; discrimination prohibited.* No stockyard owner shall discriminate unfairly with respect to the utilization of pens, alleys, buildings, or facilities for the yarding, weighing, or handling of livestock, or of space for packing, rendering, and other establishments, or otherwise in furnishing services and facilities at his stockyard. No licensee shall discriminate unfairly with respect to the utilization of facilities for the handling of live poultry at designated cities, markets, or places, or discriminate unfairly in the weighing or handling of live poultry or otherwise in furnishing services and facilities thereat.

(b) *Assignment of pens and facilities.* Every stockyard owner shall assign to market agencies engaged in selling livestock on a commission basis at the stockyard and dealers engaged in buying and selling livestock at the stockyard, without unfair or unjust discrimination, reasonable pens and facilities to be used in connection with the holding, feeding, watering, sorting, or selling of livestock consigned to market agencies or the buying, selling, or receiving of livestock by dealers at such stockyard: *Provided*, That if conditions warrant the stockyard owner may assign reasonable pens or other facilities to be used jointly or in common by two or more of such dealers. Each market agency and dealer shall make application to the stockyard owner for, and obtain an assignment of, necessary pens and facilities prior to commencing operations at the stockyard. Assignments of pens and facilities shall be made, reviewed annually or oftener, if conditions warrant, and adjusted or

changed, in number or location, on the basis of the volume and kind of livestock handled, the number, size, character, and kind of consignments received or lots purchased, the seniority of the market agency or dealer, the operating conditions of the stockyard, and other pertinent considerations: *Provided*, That no assignment, adjustment, or change shall unfairly or unjustly discriminate against any market agency or dealer or impair the efficiency of operations or the reasonableness of stockyard services furnished patrons of the market.

(c) *Dealers required to operate in assigned pens.* Dealers engaged in buying and selling livestock at a posted stockyard shall receive, handle, feed, water, hold, sort, trade on, or sell all livestock bought or received by them at such stockyard, and otherwise carry on their dealer operations, in pens and facilities assigned to them by the stockyard owner. This shall not prohibit dealers from consigning livestock to, or bona fide planting livestock with, registered market agencies at the stockyard for sale: *Provided*, That, if conditions at a particular market require such action, the market agencies and the stockyard owner shall prescribe reasonable hours within which dealer-owned livestock may be held in pens assigned to the market agencies.

§ 201.80 *Stockyard facilities or services to be furnished only to unsuspended, properly registered, and bonded parties.* No stockyard owner or operator shall, after notice, furnish services or facilities at his stockyard to any person who attempts to engage in the business of a market agency or dealer at his stockyard without being properly registered and bonded as required by the act and the regulations in this part or whose registration is under suspension.

§ 201.81 *Suspended or revoked registrants or licensees.* No packer, registrant, or licensee shall, after notice, employ any person whose registration or license has been suspended or revoked to perform activities at a posted stockyard or in a designated area during the period of such suspension or revocation. No registrant or licensee shall, at a posted stockyard or in a designated area, after notice, furnish services or facilities or sell livestock or live poultry to or buy livestock or live poultry from any person required by the act and the regulations in this part to be registered and bonded, or licensed, who is not so registered and bonded, or licensed, or whose registration or license is suspended or revoked.

§ 201.82 *Livestock; care and promptness in yarding, feeding, watering, weighing, and handling.* Each stockyard owner and registrant shall exercise reasonable care and promptness in respect to yarding, feeding, watering, weighing, or otherwise handling livestock to prevent waste of feed, shrinkage, injury, death, or other avoidable loss.

§ 201.83 *Live poultry; care and promptness in feeding, watering, weighing, transporting, and handling.* Each licensee shall exercise reasonable care and promptness in respect to unloading, placing in coops, feeding, watering, weighing, transporting, or otherwise

handling live poultry to prevent waste of feed, shrinkage, injury, death, or other avoidable loss.

§ 201.84 *Feed and water furnished livestock or live poultry.* Each stockyard owner, market agency, or licensee, who furnishes feed or water to livestock at posted stockyards or live poultry in designated areas shall see that it is wholesome and fit for the purpose. They shall collect for feed so furnished according to actual or carefully estimated weight only and in accordance with their schedules of rates and charges filed under the act.

§ 201.85 *Livestock auctions; requirements as to accommodations and persons entering auction ring.* Stockyard owners and market agencies shall furnish adequate accommodations for the public to see and place bids on livestock offered for sale at auction; but only those persons whose presence is necessary to the proper handling, buying, or selling of the livestock shall be permitted in the auction ring while the auction is in progress.

INSPECTION OF BRANDS

§ 201.86 *Application for authorization by State agencies and duly organized State livestock associations; requisites.* A department or agency of a State, or a duly organized livestock association of a State, in which branding or marking of livestock, or both, as a means of establishing ownership prevails by custom or statute, which desires to obtain an authorization to charge and collect at any stockyard subject to the provisions of the act a reasonable and nondiscriminatory fee for the inspection of brands, marks, and other identifying characteristics of livestock originating in or shipped from such State for the purpose of determining the ownership of such livestock shall file with the Assistant Administrator an application in writing for such authorization. The application shall set forth clearly facts showing the necessity for inspection and shall show that branding or marking, or both branding and marking, livestock as a means of establishing ownership prevails by custom or statute in the State. The application shall set forth additional information, including facts showing the experience, extent and efficiency of the organization, possession of necessary records, and any other factor relating to the ability of the applicant to perform the proposed service and, in addition, in the case of a duly organized livestock association, the financial responsibility of the applicant and evidence of its organization. The application shall further state the names of the stockyards at which the applicant proposes to perform this service and the fee which the applicant proposes to charge for rendering the service.

§ 201.87 *Two or more applications from same State; procedure.* In case two or more applications for authorizations to collect a fee for the inspection of brands, marks, and other identifying characteristics of livestock, for the purpose of determining the ownership of such livestock, are received from the same State, and the facts set forth in the applications show such action to be

necessary in order to reach a proper determination, a hearing will be held in conformity with the applicable rules of practice governing proceedings under the act.

§ 201.88 *Registration and filing of schedules.* Upon the issuance of an authorization to an agency or an association, said agency or association shall register in accordance with the provisions of § 201.10 and shall file a schedule of its rates and charges for performing the service in the manner and form prescribed by §§ 201.17 to 201.26, inclusive.

§ 201.89 *Records of authorized agencies or associations.* Authorized agencies or associations shall maintain adequate records showing in detail the income derived from the collection of authorized fees, the disbursement of such funds as expenses for conducting the services, the inspections performed, and the results thereof, including records showing a full description of brands, marks, and other identifying characteristics of livestock which have been inspected. They shall also maintain currently records of the brands, marks, and other identifying characteristics of livestock located in the State from which such agency or association will operate, and with reference to which the authorization has been granted.

§ 201.90 *Fees; deduction and accounting.* Persons registered as market agencies selling livestock on a commission basis, at stockyards where an agency or association has been authorized under the provisions of section 317 (a) of the act to collect a reasonable fee for the inspection of brands, marks, and other identifying characteristics of livestock, shall deduct from the proceeds of the sale of such livestock on which such inspection has been performed the fee as set forth in the tariffs filed by the agency or association and in effect at the time the services are rendered and shall pay over to the authorized agency or association the amount of such fees. Said market agencies in accounting to the owner or consignor of the livestock on which such fees are collected shall clearly show the amounts deducted from the proceeds for the payment of such fees and the purpose for which the payments are being made. All other persons receiving at posted stockyards livestock which is subject to inspection by an agency or association which has been authorized under the provisions of section 317 (a) of the act to collect a reasonable fee for the inspection of brands, marks, and other identifying characteristics of livestock, shall pay, upon demand, to such agency or association the fees authorized by the act to be assessed and collected.

§ 201.91 *Inspections; reciprocal arrangements by authorized agencies or associations.* An authorized agency or association may make arrangements with an association or associations in the same or in another State, where branding or marking livestock prevails by custom or statute to perform inspection service at posted stockyards on such terms and conditions as may be approved by the Assistant Administrator:

Provided, That such arrangements will tend to further the purposes of the act and will not result in duplication of charges or services.

§ 201.92 *Maintenance of identity of consignments; inspection to be expedited.* All persons having custody at a posted stockyard of livestock subject to inspection shall make it available to the inspection agency authorized under the act in such manner as to preserve the identity of the consignment until inspection has been completed. Agencies authorized to conduct such inspection shall perform the work as soon after receipt of the livestock as practicable and as rapidly as is reasonably possible in order to prevent delay in marketing, shrinkage in weight, or other avoidable losses.

§ 201.93 *Existing contracts between authorized agencies; recognition and continuation.* The provisions of existing contracts between agencies authorized to collect fees and market agencies engaged in selling livestock on a commission basis, with reference to disposition of proceeds arising from the sale of livestock as to which ownership has been questioned, shall not be affected by the regulations in this part to the extent that such contracts contain no provisions which are in conflict with the act or such regulations. Copies of all such contracts shall be filed promptly with the Chief at Washington, D. C.

GENERAL

§ 201.94 *Information as to business; furnishing of by packers, stockyard owners, registrants, and licensees.* Each packer, stockyard owner, registrant, and licensee shall give to the Secretary or his duly authorized representatives in writing or otherwise, and under oath or affirmation if requested by such representatives, any information concerning the business of the packer, stockyard owner, registrant, or licensee which may be required in order to carry out the provisions of the act and the regulations in this part within such reasonable time as may be specified in the request for such information.

§ 201.95 *Inspection of records and property of packers, stockyard owners, registrants, and licensees.* Each packer, stockyard owner, registrant, and licensee shall, upon proper request during ordinary business hours, permit authorized representatives of the Secretary to enter the place of business and examine all records requested pertaining to the business of the packer, stockyard owner, registrant, or licensee as such, and to make copies thereof, and inspect such property of persons subject to the act as is necessary to carry out the provisions of the act and the regulations in this part. Any necessary facilities for such examination of records and inspection of property shall be extended to authorized representatives of the Secretary by the packer, stockyard owner, registrant, or licensee, his agents and employees.

§ 201.96 *Packers, stockyard owners, registrants, or licensees; information*

concerning business not to be divulged. No agent or employee of the United States shall, without the consent of the packer, stockyard owner, registrant, or licensee concerned, divulge or make known in any manner, except to such other agent or employee of the United States as may be required to have such knowledge in the regular course of his official duties or except insofar as he may be directed by the Secretary or by a court of competent jurisdiction, any facts or information regarding the business of any packer, stockyard owner, registrant, or licensee which may come to the knowledge of such agent or employee through any examination or inspection of the business or records of the packer, stockyard owner, registrant, or licensee or through any information given by the packer, stockyard owner, registrant, or licensee pursuant to the act and regulations in this part.

§ 201.97 *Annual reports.* Every packer, stockyard owner, market agency, dealer, and licensee shall file annually with the Division a report on prescribed forms not later than March 15 following the calendar year end or, if the records are kept on a fiscal year basis, not later than 60 days after the close of his fiscal year. The Chief on good cause shown or on his own motion may waive the filing of such reports in particular cases.

Any person who desires to submit written data, views, or arguments concerning the proposed revision may do so by filing them with the Director of the Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., within 30 days after the publication of this notice in the FEDERAL REGISTER. (7 U. S. C. 181 et seq.).

Done at Washington, D. C., this 3d day of November 1953.

[SEAL] JOHN H. DAVIS,
Acting Secretary of Agriculture.

[F. R. Doc. 53-9424; Filed, Nov. 6, 1953;
8:49 a. m.]

ATOMIC ENERGY COMMISSION

I 10 CFR Part 30 I

RADIOISOTOPE DISTRIBUTION

NOTICE OF PROPOSED RULE MAKING

Pursuant to the Atomic Energy Act of 1946 as amended (Pub. Law 585, 79th Cong., 60 Stat. 755 ff) and to section 4 (a) of the Administrative Procedure Act of 1946 as amended (Pub. Law 404, 79th Cong.) notice is hereby given that an amendment to Title 10, Chapter I, Part 30, Code of Federal Regulations, entitled "Radioisotope Distribution" will be issued by the Atomic Energy Commission, to be effective December 15, 1953.

It is proposed that this amendment will read substantially as follows:

Title 10, Chapter I, Part 30, Code of Federal Regulations, entitled "Radioisotope Distribution" is hereby amended in the following respect effective December 15, 1953:

1. Amend § 30.2 by adding the following:

(1) *Research and development.* "Research and development" means theoretical analysis, exploration, and experimentation, and the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes. "Research and development" as used in this part does not include the internal or external administration of radioisotopes, or the radiation therefrom, to human beings.

(m) *Human use.* "Human use" means the internal or external administration of radioisotopes, or the radiation therefrom, to human beings.

(n) *General authorization.* "General authorization" means an authorization that is issued for the procurement of any quantity of any radioisotope of atomic number 3 to 83 for the use or uses designated therein.

2. Amend § 30.13 by deleting paragraph (a) and substituting therefor the following new paragraph:

§ 30.13 *Items and quantities.* (a) Sections 30.20 through 30.53, inclusive, do not apply to any item listed in § 30.70 *Schedule A*, nor to any quantity listed in § 30.71 *Schedule B*: *Provided*, That no person shall, except as otherwise permitted by the regulations contained in this part, effect an increase in the radioactivity of said scheduled items or quantities by adding other radioactive material thereto, by combining the radioisotopes from two or more such items or quantities, or by altering them in any other manner so as to increase thereby the rate of radiation exposure of himself or others above the original rate therefrom: *Provided further*, That no person shall administer externally or internally, or direct the administration of, said scheduled items or quantities to a human being for any purpose, including but not limited to diagnostic, therapeutic, and research purposes, except as permitted by a valid authorization.

3. Amend § 30.21 to read as follows:

§ 30.21 *Requirements for the approval of applications—(a) Requirements of general applicability.* A domestic application for radioisotopes procurement will not be approved unless:

(1) The radioisotope is requested for one or more of the following purposes: Research or development, human use (including medical therapy), industrial uses, processing or making of compounds, or such other useful applications as may be developed;

(2) The applicant has suitable equipment and facilities for the protection of health and safety (such as handling devices, work areas, shields, measuring and monitoring instruments), and

(3) The applicant has suitably trained and experienced personnel and is otherwise qualified to use radioisotopes for the requested purpose.

(b) *Special requirements applicable to human uses by institutions.* An application by an institution for authorization to procure radioisotopes, other than

sealed sources, for human use will not be approved unless:

(1) The applicant satisfies the general requirements specified in paragraph (a) of this section;

(2) The institution has appointed a medical isotopes committee of at least three members to evaluate all proposals for research, diagnosis, and therapeutic use of radioisotopes within that institution. Membership of the committee should include physicians expert in internal medicine, hematology, therapeutic radiology, and a person experienced in assay of radioisotopes and protection against ionizing radiations;

(3) The institution possesses adequate facilities for the clinical care of patients;

(4) The physician designated on the application, as the individual user is licensed by a state or territory of the United States or the District of Columbia to dispense drugs in the practice of medicine, and has substantial experience in the proposed use, the handling and administration of radioisotopes and, where applicable, the clinical management of radioactive patients; and

(5) The applicant, if the application is for a general authorization, has also (i) previously received a reasonable number of authorizations for radioisotope procurement for a variety of radioisotopes for a variety of human uses; (ii) appointed a radiological safety officer who will advise on or be available for advice and assistance on radiological safety problems; and (iii) appointed a medical isotope committee (see subparagraph (2) of this paragraph) which will review and approve, in advance of purchase of radioisotopes, proposals for human uses.

(c) *Special requirements applicable to human uses by individual physicians.* An application by a physician for authorization to procure radioisotopes, other than sealed sources, for human use will not be approved unless:

(1) The applicant satisfies the general requirements specified in paragraph (a) of this section;

(2) The applicant is a physician licensed by a state or territory of the United States or the District of Columbia to dispense drugs in the practice of medicine;

(3) The applicant has access to a hospital possessing adequate facilities to hospitalize and monitor the applicant's radioactive patients whenever it is advisable; and

(4) The applicant has extensive experience in the proposed use, the handling and administration of radioisotopes, and where applicable, the clinical management of radioactive patients. (The physician shall furnish suitable evidence of such experience with his application. A statement from the medical isotope committee in the institution where he acquired his experience, indicating its

amount and nature, may be submitted as evidence of such experience.)

(d) *Special requirements applicable to human use of sealed sources.* An application for authorization to procure radioisotopes in sealed sources for human use will not be approved unless:

(1) The applicant satisfies the general requirements specified in paragraph (a) of this section; and

(2) The applicant or, if the application is made by an institution, the individual user (i) has specialized training in the therapeutic use of the radioactive device considered (teletherapy unit, beta applicator, etc.) or has experience equivalent to such training; and (ii) is a physician licensed by a state or territory of the United States or the District of Columbia to dispense drugs in the practice of medicine.

(e) *Special requirements applicable to general authorizations for use in research and development.* An application for a general authorization to procure radioisotopes for use in research and development will not be approved unless:

(1) The applicant satisfies the general requirements specified in paragraph (a) of this section;

(2) The applicant has received a reasonable number of authorizations for radioisotope procurement for a variety of radioisotopes for a variety of research and development uses;

(3) The applicant has established an isotope committee (composed of such persons as a radiological safety officer, a representative of the business office, and one or more persons trained or experienced in the safe use of radioactive materials) which will review and approve, in advance of purchase of radioisotopes, proposals for such uses; and

(4) The applicant has appointed a radiological safety officer who will advise on or be available for advice and assistance on radiological safety problems.

(f) *Special requirements applicable to general authorizations for processing.* An application for a general authorization to procure radioisotopes for use in processing for distribution to other authorized persons will not be approved unless:

(1) The applicant satisfies the general requirements specified in paragraph (a) of this section;

(2) The applicant has received a reasonable number of authorizations for radioisotope procurement for processing, resale, and distribution of a variety of radioisotopes; and

(3) The applicant has appointed a radiological safety officer who will advise on or be available for advice and assistance on radiological safety problems.

4. Amend § 30.30 to read as follows:

§ 30.30 *Issuance of authorizations.* Upon approval of an application, the

Commission will issue an Authorization for Radioisotope Procurement, Form AEC-374. The authorization shall be the only valid approval for procurement, and its issuance shall be based upon the representations made in the application and shall be subject to and in accordance with the regulation in this part and the terms and conditions stated in the application. Authorizations are issued for the procurement only of the radioisotope or radioisotopes specified in the authorization, in the quantity or quantities specified and for the use or uses designated therein.

5. Amend § 30.32 to read as follows:

§ 30.32 *Expiration.* An authorization shall expire at the end of the period stated therein without the necessity of notice or warning from the Commission. The holder thereof shall neither order nor receive radioisotopes after the expiration of such authorization and no person shall transfer radioisotopes to another person after the expiration date of the transferee's authorization. Expiration of a holder's authorization does not affect his authority to retain possession of previously acquired radioisotopes for the use or uses specified in the authorization and subject to all the conditions and limitations incorporated therein, or otherwise imposed by this part.

6. Amend § 30.54 to read as follows:

§ 30.54 *Inspections and tests.* Each person who possesses or uses radioisotopes shall permit the Commission, at all reasonable times, to make such inspections and tests as the Commission deems appropriate or necessary for enforcement of the regulations in this part, including, but not limited to, inspections and tests of (a) radioisotopes being used, (b) facilities wherein radioisotopes are used or stored, (c) radiation detection and monitoring instruments, (d) equipment or devices utilizing radioisotopes or used in connection with the utilization of radioisotopes, and (e) radioisotopes waste disposal methods.

Interested parties are given an opportunity to submit their views and other relevant information with respect to the proposed amendment in writing to the United States Atomic Energy Commission, Division of Research, at 19th Street and Constitution Avenue, NW., Washington 25, D. C., within thirty (30) days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

Dated at Washington, D. C., this 26th day of October 1953.

MARION W. BOYER,
General Manager.

[F. R. Doc. 53-9410; Filed, Nov. 6, 1953; 8:45 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

GUNNISON-ARKANSAS PROJECT,
COLORADO

ORDER OF REVOCATION

FEBRUARY 12, 1953.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937) I hereby revoke Departmental Order of April 25, 1941, in so far as said order affects the following described land; provided, however, that such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the land hereinafter described:

SIXTH PRINCIPAL MERIDIAN, COLORADO

- T. 21 S., R. 68 W.,
Sec. 13, SW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 19 S., R. 70 W.,
Sec. 7, SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 18 S., R. 72 W.,
Sec. 14, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$,
Sec. 15, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 20, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 21, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 22, N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 23, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 24, SW $\frac{1}{4}$,
Sec. 25, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$,
SE $\frac{1}{4}$,
Sec. 29, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 30, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$.
T. 18 S., R. 73 W.,
Sec. 25, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$,
Sec. 26, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$,
Sec. 27, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 33, E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 34, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 35, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 19 S., R. 73 W.,
Sec. 3, W $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 4, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 4, SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 5, S $\frac{1}{2}$,
Sec. 6, SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 7, E $\frac{1}{2}$ E $\frac{1}{2}$,
Sec. 8, N $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$.

The above area aggregates 5280 acres.

G. W. LINEWEAVER,
Assistant Commissioner.

NOVEMBER 2, 1953.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The lands are primarily suitable for grazing. It is unlikely that they will be classified for any other use but any application that is filed will be considered on its merits.

This order shall not otherwise become effective to change the status of the described lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference right filing period for veterans and others en-

titled to preference under the act of September 27, 1944 (58 Stat 747; 43 U. S. C. 279-284) as amended.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Manager of the Land and Survey Office, Denver, Colorado.

EDWARD WOOLEY,
Director

Bureau of Land Management.

[F. R. Doc. 53-9412; Filed, Nov. 6, 1953;
8:46 a. m.]

GREEN RIVER PROJECT, UTAH

ORDER OF REVOCATION

JULY 29, 1953.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937) I hereby revoke Departmental Order of April 30, 1921, insofar as said order affects the following described lands; provided, however, that such revocation shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the lands herein-after described:

SALT LAKE BASE AND MERIDIAN, UTAH

- T. 21 S., R. 14 E.,
Sec. 12: SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 20 S., R. 15 E.,
Sec. 24. All (unsurveyed),
Sec. 25: Lots 1 to 4 incl., W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$,
Sec. 26: all (unsurveyed).
T. 21 S., R. 15 E.,
Sec. 1. Lots 1 to 19 incl., SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 2: Lots 1 to 16 incl., and S $\frac{1}{2}$,
Sec. 3: Lots 1 to 16 incl., and S $\frac{1}{2}$,
Sec. 4: Lots 1 to 16 incl., and S $\frac{1}{2}$,
Sec. 5: Lots 1 to 19 incl., and S $\frac{1}{2}$,
Sec. 6: Lots 1 to 21 incl., E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$,
Sec. 8: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Secs. 9, 10, and 11. All,
Sec. 12: Lots 1 to 4 incl., W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$,
Sec. 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 14: N $\frac{1}{2}$ N $\frac{1}{2}$,
Sec. 15: N $\frac{1}{2}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$,
Sec. 16: All,
Sec. 17: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 18: Lots 1 to 4 incl., S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ and SE $\frac{1}{4}$,
Sec. 19: Lots 1 to 4 incl., E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$,
Secs. 20 and 21. All,
Sec. 22: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$,
Sec. 23: S $\frac{1}{2}$,
Sec. 24: Lot 1 and NW $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 25: Lots 1 to 4 incl., W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$,
Secs. 26 to 29 incl., and 32 to 35 incl., All,
Sec. 36: Lots 1 and 2, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ and SE $\frac{1}{4}$.
T. 22 S., R. 15 E.,
Sec. 1: Lots 1 to 4 incl., S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$,
Sec. 2: Lots 1 to 4 incl., S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$,
Sec. 3: Lots 1 to 4 incl., S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$,
Sec. 4: Lots 1 to 4 incl., S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$.
T. 20 S., R. 16 E.,
Sec. 3: Lots 6 to 14 incl.,
Sec. 9: Lots 1 to 7 incl., NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 10: Lots 2, 3, 4, 5; and 7,
Sec. 14: All,
Sec. 15: S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 16: Lots 1 to 5 incl., NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$,
Sec. 17: Lots 1 to 8 incl., and SW $\frac{1}{4}$,
Sec. 18: E $\frac{1}{2}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 19: Lot 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 20: Lots 1 to 5 incl., SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 21: Lots 1 and 2, E $\frac{1}{2}$, NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 22: E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$,
Secs. 23, 26 and 27: All,
Sec. 28: Lot 1 and NE $\frac{1}{4}$,
Sec. 29: Lots 1 to 8 incl., W $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$,
Sec. 30: E $\frac{1}{2}$,
Sec. 31: E $\frac{1}{2}$,
Sec. 32: Lots 1 to 15 incl., E $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 33: Lot 4, W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 34: Lots 1 to 4 incl., NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 35: Lots 1 to 4 incl., N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 36: Lots 1 to 4 incl., N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$.
T. 21 S., R. 16 E.,
Sec. 1. Lots 2, 3, 6, 11, and 17 to 20 incl., and S $\frac{1}{2}$,
Sec. 2: Lots 1 to 20 incl., and S $\frac{1}{2}$,
Sec. 3: Lots 1 to 18 and 20 to 24 incl., NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 4: Lots 1 to 20 incl., SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 5: Lots 1, 2, 8, 15 and 17 to 20 incl., S $\frac{1}{2}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 6: Lots 1 to 22 incl., E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$,
Sec. 7: Lots 1 to 4 incl., E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$,
Sec. 8: NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 9: Lots 1 to 5 incl., NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$,
Sec. 10: Lots 1 to 9 incl., N $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ S $\frac{1}{2}$,
Sec. 11: All,
Sec. 12: NE $\frac{1}{4}$, W $\frac{1}{2}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 13: NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 14: N $\frac{1}{2}$, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 15: Lots 1 to 6 incl., E $\frac{1}{2}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 16: Lots 1 and 2, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ and SE $\frac{1}{4}$,
Sec. 17: All,
Sec. 18: Lots 1 to 4 incl., E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$.
T. 21 S., R. 17 E.,
Sec. 4: Lots 1 to 10 incl., 15 and 16, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 5: Lots 1 to 16 incl., SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 6: Lots 1, 8, 9, 15, and 16, and SE $\frac{1}{4}$,
Sec. 7: Lots 1, 2, and 3, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 8: N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 9: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$,
Sec. 10: NW $\frac{1}{4}$,
Sec. 16: All,
Sec. 17: S $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 22: S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$.

The above areas contain approximately 51,572.14 acres.

G. W. LINEWEAVER,
Assistant Commissioner

NOVEMBER 2, 1953.

I concur. The records of the Bureau of Land Management will be noted accordingly.

The land is primarily suitable for grazing. It is unlikely that it will be classified for any other disposition, but any

application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

This order shall not become effective to change the status of the described lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Manager of the Land and Survey Office at Salt Lake City, Utah.

EDWARD WOOLEY,
Director,
Bureau of Land Management.

[F. R. Doc. 53-9413; Filed, Nov. 6, 1953;
8:46 a. m.]

COLORADO RIVER STORAGE AND YUMA PROJECTS, ARIZONA

ORDER OF REVOCATION

JANUARY 9, 1953.

Pursuant to the authority delegated by Departmental Order No. 2515 of April 7, 1949 (14 F. R. 1937) I hereby revoke Departmental Orders of January 31, 1903, September 8, 1903, February 19, 1929, and March 14, 1929, insofar as said orders affect the following described lands: *Provided, however* That such revocation shall not affect the withdrawal of any other lands by said orders or affect any other orders withdrawing of reserving the land hereinafter described.

GILA AND SALT RIVER MERIDIAN, ARIZONA

- T. 3 N., R. 21 W.,
Secs. 19 to 21, incl., and 28 to 33, incl., all
unsurveyed.
T. 4 N., R. 21 W.,
Secs. 19 to 21, incl., and 28 to 33, incl., all.
T. 1 N., R. 22 W., unsurveyed, all township.
T. 2 N., R. 22 W.,
Secs. 1, 2, 11 to 14, incl., 21 to 28, incl., and
33 to 36, incl., all.
T. 1 N., R. 23 W.,
Secs. 25, 26, 35 and 36, all.
T. 5 S., R. 21 W.,
Secs. 1 to 6, incl., 8 to 16, incl., 21 to 28,
incl., and 33 to 36, incl., all.
T. 6 S., R. 21 W.,
Secs. 1, 2, 3, 10 to 15, incl., 22 to 27, incl.,
34, 35 and 36, all.
T. 1 S., R. 23 W., unsurveyed,
Secs. 4, 9, 16, 21 and 33, all.
T. 2 S., R. 23 W., unsurveyed,
Secs. 4, 9, 16, 21, 28 and 33 all.

The above area aggregates approximately 84,410.00 acres.

G. W. LINEWEAVER,
Assistant Commissioner

NOVEMBER 2, 1953.

I concur. The records of the Bureau of Land Management will be noted accordingly.

1. The following-described lands are included in the withdrawal made by Public Land Order No. 848 of July 1, 1952 for use of the Department of the Army in connection with the Yuma Test Station:

GILA AND SALT RIVER MERIDIAN

- T. 1 N., R. 22 W., unsurveyed.
T. 5 S., R. 21 W.,
Secs. 1 to 6, inclusive,
Secs. 8 to 16, inclusive,
Secs. 21 to 28, inclusive,
Secs. 33 to 36, inclusive.
T. 6 S., R. 21 W., unsurveyed.
Secs. 1, 2 and 3,
Secs. 10 to 15, inclusive,
Secs. 22 to 27, inclusive,
Secs. 34 to 36, inclusive.

2. The remaining lands released from withdrawal by this order are in an area which is primarily of rough and mountainous topography. They are primarily suitable for grazing. It is unlikely that they will be classified for any other use, but any application that is filed will be considered on its merits.

This order shall not otherwise become effective to change the status of the lands referred to in this paragraph until 10:00 a. m., on the 35th day after the date of this order. At that time the said lands shall become subject to application, petition, location and selection, subject to valid existing rights, the provisions of existing withdrawals, the requirements of applicable laws, and the 91-day preference right filing period for veterans and others entitled to preference under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended.

Information showing the periods during which and the conditions under which veterans and others may file applications for these lands may be obtained on request from the Manager of the Land and Survey Office, Phoenix, Arizona.

EDWARD WOOLEY,
Director,
Bureau of Land Management.

[F. R. Doc. 53-9414; Filed, Nov. 6, 1953;
8:47 a. m.]

Office of the Secretary

AREAS WITHIN THE OUTER CONTINENTAL SHELF

AMENDMENT OF NOTICE TO HOLDERS OF STATE LEASES

The Notice to Holders of State Leases issued by the Acting Secretary of the Interior on September 18, 1953, and published in the FEDERAL REGISTER on September 25, 1953 (18 F. R. 5714) is hereby amended by adding the following paragraph at the end thereof:

(12) If the holder of a mineral lease attempts in good faith to meet all the requirements of section 6 (a) of the Outer Continental Shelf Lands Act before the close of business on November 5, 1953, but fails to pay in full before then the sum which the Secretary or his authorized representative hereafter determines to be due and payable under

sections 6 (a) (4) and 6 (a) (9) of the act, the time within which to pay such sum in full is hereby extended until 30 days after the receipt of notice sent by registered letter to the holder of the lease at his last known address of the sum so determined to be due and payable.

ORLIE LEWIS,
Assistant Secretary of the Interior.

NOVEMBER 3, 1953.

[F. R. Doc. 53-9411; Filed, Nov. 6, 1953;
8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration

[Administrative Order 4356]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 1, 1953.

I hereby amend paragraph "(o)" of Administrative Order No. 3304, dated June 11, 1951, by changing the project designation appearing therein as "Kentucky 49K Clark" in the amount of \$188,392.88 to read "Kentucky 49L Clark" in the amount of \$188,392.88.

[SEAL] ANCHER NELSEN,
Administrator.

[F. R. Doc. 53-9436; Filed, Nov. 6, 1953;
8:51 a. m.]

[Administrative Order 4357]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 2, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas 62 R Bailey-----	\$1,150,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9437; Filed, Nov. 6, 1953;
8:51 a. m.]

[Administrative Order 4358]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 2, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	Amount
Texas 103 S Swisher-----	\$280,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9438; Filed, Nov. 6, 1953;
8:51 a. m.]

NOTICES

[Administrative Order 4359]

WASHINGTON

LOAN ANNOUNCEMENT

SEPTEMBER 2, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Washington 18S Spokane..... \$410,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9439; Filed, Nov. 6, 1953;
8:51 a. m.]

[Administrative Order 4360]

WISCONSIN

LOAN ANNOUNCEMENT

SEPTEMBER 2, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Wisconsin 29 S Clark..... \$194,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9440; Filed, Nov. 6, 1953;
8:51 a. m.]

[Administrative Order 4361]

TEXAS

LOAN ANNOUNCEMENT

SEPTEMBER 4, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Texas 107 Y Martin..... \$250,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9441; Filed, Nov. 6, 1953;
8:51 a. m.]

[Administrative Order 4362]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 18, 1953.

Inasmuch as The Pioneer Cooperative Association, Inc., has transferred certain of its properties and assets to Rosebud Electric Association, Inc., and Rosebud Electric Association, Inc., has assumed in part the indebtedness to United States of America, of The Pioneer Cooperative Association, Inc., arising out of loans made by United States of America pursuant to the Rural Electrification

Act of 1936, as amended, I hereby amend:

(a) Administrative Order No. 1448, dated February 20, 1948, by changing the project designation appearing therein as "Kansas 44D, E, F Grant" in the amount of \$680,000 to read "Kansas 44D, E, F Grant" in the amount of \$662,500 and "South Dakota 26TPI Gregory (Kansas 44D, E, F Grant)" in the amount of \$17,500.

[SEAL] ANCHER NELSEN,
Administrator

[F. R. Doc. 53-9442; Filed, Nov. 6, 1953;
8:52 a. m.]

[Administrative Order 4363]

KANSAS

LOAN ANNOUNCEMENT

SEPTEMBER 23, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Kansas 37F McPherson..... \$51,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9443; Filed, Nov. 6, 1953;
8:52 a. m.]

[Administrative Order 4364]

KANSAS

LOAN ANNOUNCEMENT

SEPTEMBER 23, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Kansas 38L Chautauqua..... \$140,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9444; Filed, Nov. 6, 1953;
8:52 a. m.]

[Administrative Order 4365]

IOWA

LOAN ANNOUNCEMENT

SEPTEMBER 23, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Iowa 71P Buchanan..... \$174,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9445; Filed, Nov. 6, 1953;
8:52 a. m.]

[Administrative Order 4366]

KANSAS

LOAN ANNOUNCEMENT

SEPTEMBER 23, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Kansas 19K Butler..... \$235,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9446; Filed, Nov. 6, 1953;
8:52 a. m.]

[Administrative Order 4367]

COLORADO

LOAN ANNOUNCEMENT

SEPTEMBER 23, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Colorado 39 E Kit Carson..... \$310,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9447; Filed, Nov. 6, 1953;
8:52 a. m.]

[Administrative Order 4368]

MICHIGAN

LOAN ANNOUNCEMENT

SEPTEMBER 23, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Michigan 37P Huron..... \$100,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9448; Filed, Nov. 6, 1953;
8:53 a. m.]

[Administrative Order 4369]

ALLOCATION OF FUNDS FOR LOANS

SEPTEMBER 25, 1953.

Pursuant to Section 3 (c) of the Rural Electrification Act of 1936 and upon information and data in the files of the Rural Electrification Administration, I hereby determine that the number of farms not receiving central station electric service for each State and the number of such farms for the United States at the beginning of the current fiscal year are as set forth in the following

schedule, and I hereby allot from the sum of \$67,500,000, being fifty per centum of the total sum made available for the current fiscal year, the respective sums for loans in the several States as hereinafter set forth.

	Farms without central station electric service July 1, 1953	Allotment for loans during the fiscal year ending June 30, 1954
United States.....	493, 674	\$67, 500, 000
Alabama.....	30, 656	4, 191, 592
Arizona.....	955	130, 577
Arkansas.....	31, 282	4, 277, 185
California.....	7, 995	1, 093, 156
Colorado.....	4, 519	617, 882
Connecticut.....	578	120, 049
Delaware.....	574	78, 493
Florida.....	10, 389	1, 420, 437
Georgia.....	19, 908	2, 722, 019
Idaho.....	1, 290	176, 382
Illinois.....	10, 339	1, 413, 650
Indiana.....	1, 111	151, 907
Iowa.....	3, 201	437, 672
Kansas.....	9, 430	1, 289, 363
Kentucky.....	28, 200	3, 855, 783
Louisiana.....	12, 932	1, 768, 191
Maine.....	3, 643	498, 107
Maryland.....	2, 123	290, 278
Massachusetts.....	1, 739	237, 773
Michigan.....	85	11, 622
Minnesota.....	9, 359	1, 279, 655
Mississippi.....	71, 120	9, 724, 231
Missouri.....	23, 198	3, 171, 850
Montana.....	5, 269	720, 430
Nebraska.....	5, 776	789, 752
Nevada.....	1, 032	141, 105
New Hampshire.....	239	32, 678
New Jersey.....	694	94, 891
New Mexico.....	6, 492	887, 651
New York.....	6, 249	854, 425
North Carolina.....	17, 053	2, 331, 655
North Dakota.....	9, 671	1, 322, 315
Ohio.....	5, 144	703, 339
Oklahoma.....	20, 315	3, 593, 047
Oregon.....	886	134, 816
Pennsylvania.....	8, 744	1, 195, 599
Rhode Island.....	149	20, 373
South Carolina.....	17, 235	2, 356, 549
South Dakota.....	8, 280	1, 132, 124
Tennessee.....	19, 196	2, 624, 687
Texas.....	41, 849	5, 722, 010
Utah.....	1, 162	155, 850
Vermont.....	1, 210	168, 443
Virginia.....	6, 728	919, 919
Washington.....	6, 552	89, 148
West Virginia.....	10, 427	1, 425, 633
Wisconsin.....	6, 903	943, 847
Wyoming.....	1, 293	176, 792

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9449; Filed, Nov. 6, 1953;
8:53 a. m.]

[Administrative Order 4370]

ILLINOIS LOAN ANNOUNCEMENT

SEPTEMBER 25, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Illinois 31 K Monroe..... \$363, 000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9450; Filed, Nov. 6, 1953;
8:53 a. m.]

[Administrative Order 4371]

ILLINOIS LOAN ANNOUNCEMENT

SEPTEMBER 25, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Illinois 23S Sangamon..... \$198, 000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9451; Filed, Nov. 6, 1953;
8:53 a. m.]

[Administrative Order 4372]

WISCONSIN LOAN ANNOUNCEMENT

SEPTEMBER 25, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Wisconsin 66B Portage-Waupaca..... \$260, 000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9452; Filed, Nov. 6, 1953;
8:53 a. m.]

[Administrative Order 4373]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

SEPTEMBER 25, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
South Carolina 26U Darlington... \$315, 000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9453; Filed, Nov. 6, 1953;
8:54 a. m.]

[Administrative Order 4374]

LOUISIANA LOAN ANNOUNCEMENT

SEPTEMBER 25, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting

through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Louisiana 12 Y Franklin..... \$485, 000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9454; Filed, Nov. 6, 1953;
8:52 a. m.]

[Administrative Order 4375]

KENTUCKY LOAN ANNOUNCEMENT

SEPTEMBER 30, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Kentucky 50S Graves..... \$330, 000

[SEAL] J. E. O'BRIEN,
Acting Administrator.

[F. R. Doc. 53-9455; Filed, Nov. 6, 1953;
8:54 a. m.]

[Administrative Order 4376]

OHIO LOAN ANNOUNCEMENT

SEPTEMBER 30, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Ohio 74R Butler..... \$270, 000

[SEAL] J. E. O'BRIEN,
Acting Administrator.

[F. R. Doc. 53-9456; Filed, Nov. 6, 1953;
8:54 a. m.]

[Administrative Order 4377]

IDAHOO LOAN ANNOUNCEMENT

OCTOBER 6, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Idaho 10 R Nez Perce..... \$194, 000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9457; Filed, Nov. 6, 1953;
8:54 a. m.]

NOTICES

[Administrative Order 4378]

ALABAMA

LOAN ANNOUNCEMENT

OCTOBER 6, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Alabama 23N Pike..... \$565,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9458; Filed, Nov. 6, 1953;
8:54 a. m.]

[Administrative Order 4379]

ALLOCATION OF FUNDS FOR LOANS

OCTOBER 7, 1953.

I hereby amend:

(a) Administrative Order No. 1264, dated May 2, 1947, by reducing the allocation of \$645,000 therein made for "Alabama 47A Arab" by \$16,080 so that the reduced allocation shall be \$628,920.

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9459; Filed, Nov. 6, 1953;
8:55 a. m.]

[Administrative Order 4380]

KENTUCKY

LOAN ANNOUNCEMENT

OCTOBER 7, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Kentucky 18P Meade..... \$830,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9460; Filed, Nov. 6, 1953;
8:55 a. m.]

[Administrative Order 4381]

TENNESSEE

LOAN ANNOUNCEMENT

OCTOBER 8, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Tennessee 25N Jackson..... \$600,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9461; Filed, Nov. 6, 1953;
8:55 a. m.]

[Administrative Order 4382]

FLORIDA

LOAN ANNOUNCEMENT

OCTOBER 8, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Florida 25N Lee..... \$920,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9462; Filed, Nov. 6, 1953;
8:55 a. m.]

[Administrative Order 4383]

TEXAS

LOAN ANNOUNCEMENT

OCTOBER 9, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Texas 40V Bowie..... \$635,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9463; Filed, Nov. 6, 1953;
8:55 a. m.]

[Administrative Order 4384]

WISCONSIN

LOAN ANNOUNCEMENT

OCTOBER 20, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Wisconsin 25W Monroe..... \$25,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9464; Filed, Nov. 6, 1953;
8:55 a. m.]

[Administrative Order 4385]

WISCONSIN

LOAN ANNOUNCEMENT

OCTOBER 20, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Wisconsin 31K Columbia..... \$294,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9465; Filed, Nov. 6, 1953;
8:55 a. m.]

[Administrative Order 4386]

MONTANA

LOAN ANNOUNCEMENT

OCTOBER 20, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Montana 28 KL McCone..... \$1,120,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9466; Filed, Nov. 6, 1953;
8:56 a. m.]

[Administrative Order 4387]

FLORIDA

LOAN ANNOUNCEMENT

OCTOBER 20, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Florida 15V Lafayette..... \$660,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9467; Filed, Nov. 6, 1953;
8:56 a. m.]

[Administrative Order 4388]

GEORGIA

LOAN ANNOUNCEMENT

OCTOBER 20, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Georgia 20R Troup..... \$325,000

[SEAL] FRED H. STRONG,
Acting Administrator

[F. R. Doc. 53-9468; Filed, Nov. 6, 1953;
8:56 a. m.]

[Administrative Order 4389]

VERMONT

LOAN ANNOUNCEMENT

OCTOBER 20, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended,

a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Vermont 7AA Orleans----- \$30,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9469; Filed, Nov. 6, 1953;
8:56 a. m.]

[Administrative Order 4390]

IOWA

LOAN ANNOUNCEMENT

OCTOBER 20, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Iowa 51M Winnebago----- \$500,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9470; Filed, Nov. 6, 1953;
8:56 a. m.]

[Administrative Order 4391]

TEXAS

LOAN ANNOUNCEMENT

OCTOBER 20, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Texas 87X Karnes----- \$630,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9471; Filed, Nov. 6, 1953;
8:56 a. m.]

[Administrative Order 4392]

TEXAS

LOAN ANNOUNCEMENT

OCTOBER 21, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Texas 59S Lamb----- \$94,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9472; Filed, Nov. 6, 1953;
8:57 a. m.]

[Administrative Order 4393]

ARKANSAS

LOAN ANNOUNCEMENT

OCTOBER 22, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Arkansas 30Y Arkansas----- \$50,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9473; Filed, Nov. 6, 1953;
8:57 a. m.]

[Administrative Order 4394]

ALLOCATION OF FUNDS FOR LOANS

OCTOBER 29, 1953.

I hereby amend:

(a) Administrative Order No. 2399, dated December 12, 1949, by rescinding the loan of \$7,885,000 therein made for "Utah 16A Cedar"

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9474; Filed, Nov. 6, 1953;
8:57 a. m.]

[Administrative Order 4395]

IOWA

LOAN ANNOUNCEMENT

OCTOBER 29, 1953.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation: Amount
Iowa 27P Buena Vista----- \$200,000

[SEAL] FRED H. STRONG,
Acting Administrator.

[F. R. Doc. 53-9475; Filed, Nov. 6, 1953;
8:57 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

FJELL LINE, ET AL.

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, as amended; 39 Stat. 733, 46 U. S. C. section 814.

Agreement No. 8180 between carriers comprising the Fjell Line and Swedish Chicago Line, joint services, and Swedish American Line and Transatlantic Steamship Co., Ltd., joint service, provides for the creation of a conference to be known as the U. S. Great Lakes, Scandinavian and Baltic Eastbound Confer-

ence, for the establishment and maintenance of agreed rates, charges and practices for or in connection with the transportation of cargo in the east-bound trade from ports of the Great Lakes of the United States to ports in Norway, Sweden, Denmark, Finland, Danzig Free State, Estonia, Iceland, Latvia, Lithuania, Poland, and to Continental and Russian ports served via the Baltic.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: November 4, 1953.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 53-9434; Filed, Nov. 6, 1953;
8:59 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1676]

SOUTHERN NATURAL GAS CO.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 3, 1953.

Notice is hereby given that on November 2, 1953, the Federal Power Commission issued its order adopted October 29, 1953, amending order of September 4, 1952 (17 F. R. 8197) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-9417; Filed, Nov. 6, 1953;
8:47 a. m.]

[Docket No. G-1923]

PERMIAN BASIN PIPELINE CO.

NOTICE OF PETITION TO AMEND ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 3, 1953.

Take notice that on October 12, 1953, Permian Basin Pipeline Company (Permian), filed a petition to amend the order of May 1, 1953, issuing it a certificate of public convenience and necessity in the above-entitled matter.

Such petition states that among the facilities authorized to be constructed by such order was a 16-inch transmission pipe line beginning in the Mitchell Gas Field, Pecos County, Texas, and extending to the Plymouth Compressor Station in Upton County, Texas. The petition seeks amendment of the certificate to authorize construction of a 20-inch line in lieu of the 16-inch line. Permian states that the 20-inch line will reduce its ultimate costs for construct-

ing facilities and will provide additional pipe line capacity.

Answers may be filed with the Federal Power Commission, in accordance with the Commission's rules of practice and procedure (18 CFR 1.9) on or before the 15th day of November 1953. The petition is on file with the Commission and open to public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-9415; Filed, Nov. 6, 1953;
8:47 a. m.]

[Docket No. G-2010]

NORTHERN NATURAL GAS CO.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

NOVEMBER 3, 1953.

Notice is hereby given that on November 2, 1953, the Federal Power Commission issued its order adopted October 29, 1953, amending order of July 30, 1953 (18 F. R. 4841) issuing certificate of public convenience and necessity in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-9418; Filed, Nov. 6, 1953;
8:47 a. m.]

[Docket No. G-2191]

ARKANSAS-OKLAHOMA GAS CO.

NOTICE OF FINDINGS AND ORDER

NOVEMBER 3, 1953.

Notice is hereby given that on November 2, 1953, the Federal Power Commission issued its order adopted October 29, 1953, issuing certificate of public convenience and necessity and permitting and approving abandonment of facilities in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-9419; Filed, Nov. 6, 1953;
8:48 a. m.]

[Docket No. G-2293]

ALGONQUIN GAS TRANSMISSION CO.

NOTICE OF APPLICATION

NOVEMBER 3, 1953.

Take notice that Algonquin Gas Transmission Company (Applicant) a Delaware Corporation, with its principal place of business in Boston, Massachusetts filed, on October 26, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of the following natural-gas facilities:

(1) A 2-inch tap valve on Applicant's Fall River 8" Lateral line at Station 177+00, Tiverton, Rhode Island.

(2) 40 feet of 2½" O. D. pipeline connecting the Fall River Lateral with proposed meter station.

(3) 1 positive displacement type meter and regulator to be housed in a 6' x 8' corrugated iron building.

Total estimated cost of facilities is \$4,980, including land, acquisitions, contingencies, supervision and engineering.

The facilities are proposed to be used to sell and deliver a maximum of 50 Mcf per day to the Tiverton Gas Company.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 23d day of November.

Applicant requests that this matter be considered under the shortened hearing procedure provided for in § 1.32 of the rules of practice and procedure.

This application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-9416; Filed, Nov. 6, 1953;
8:47 a. m.]

[Project No. 2040]

RALPH E. MCCLANAHAN

NOTICE OF ORDER ACCEPTING SURRENDER OF LICENSE (MINOR)

NOVEMBER 3, 1953.

Notice is hereby given that on November 2, 1953, the Federal Power Commission issued its order adopted October 29, 1953, accepting surrender of license (Minor) in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-9420; Filed, Nov. 6, 1953;
8:48 a. m.]

UNION ELECTRIC POWER CO.

NOTICE OF ORDER APPROVING AND DIRECTING DISPOSITION OF AMOUNTS IN ELECTRIC PLANT DISPOSITION

NOVEMBER 3, 1953.

Notice is hereby given that on November 2, 1953, the Federal Power Commission issued its order adopted October 29, 1953, approving and directing disposition of amounts classified in Account 107, electric plant adjustment in the above-entitled matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-9421; Filed, Nov. 6, 1953;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28617]

BRICK AND RELATED ARTICLES FROM
SOUTHERN TERRITORY TO VIENNA, HERN-
DON, LEESBURG AND PURCELLVILLE, VA.

APPLICATION FOR RELIEF

NOVEMBER 4, 1953.

The Commission is in receipt of the above-entitled and numbered applica-

tion for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to schedule listed below.

Commodities involved: Brick and related articles, carloads.

From: Producing points in southern territory.

To: Vienna, Herndon, Leesburg, and Purcellville, Va.

Grounds for relief: Rail competition, circuitous routes, and to maintain grouping.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1278, supp. 38.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 53-9422; Filed, Nov. 6, 1953;
8:48 a. m.]

[Sec. 5a Application 49]

CENTRAL AND SOUTHERN MOTOR FREIGHT TRAFFIC ASSOCIATION, INC.

APPLICATION FOR APPROVAL OF AGREEMENT

NOVEMBER 4, 1953.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed November 2, 1953 by: R. L. Weck, Attorney-in-Fact, 420 West Jefferson Street, Louisville 2, Ky.

Agreement involved: Agreement between and among common carriers by motor vehicle, members of the Central and Southern Motor Freight Tariff Association, Inc., relating to rates, exceptions to classifications, ratings, rules, regulations or practices, governing the transportation of property between points within Central Territory, generally including the States of Illinois, Indiana, Iowa, Michigan, Missouri, Ohio, the western portion of Wisconsin, as generally described in Central Territory Motor Carrier Rates, 8 M. C. C. 233 and 24 M. C. C. 69, on the one hand, and, on the other, Southern Territory, generally including the States of Alabama, Arkansas (Helena and West Helena only), Florida, Georgia, Kentucky, Louisiana

(east of the Mississippi River) Mississippi, North Carolina, South Carolina, Tennessee, and the southern portion of Virginia, generally described in State of Alabama, et al. v. New York Central Railroad Company, et al., 235 U. S. 255, 265; and procedures for the joint initiation, consideration, and establishment thereof.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 53-9435; Filed, Nov. 6, 1953;
8:50 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

THERESIA MAYER AND ANNA FASCHING

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Property, and Location

Theresia Mayer (nee Fasching), Heiligenkreuz, Austria, Claim No. 37377, \$302.79 in the Treasury of the United States; Anna

No. 219—4

Fasching, Heiligenkreuz, Austria, Claim No. 37377, \$302.80 in the Treasury of the United States.

Executed at Washington, D. C., on November 2, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-9430; Filed, Nov. 6, 1953;
8:49 a. m.]

IDA SCHWEYER °

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Property, and Location

Ida Schwyer, Welsbaden, Germany, Claim No. 14923; \$212.88 in the Treasury of the United States.

Executed at Washington, D. C., on November 2, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 53-9431; Filed, Nov. 6, 1953;
8:50 a. m.]

ANDRE OBEY

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C.,

including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Property, and Location

Andre Obey, 32 rue de Sevigny, Sucy-en-Brie, (Seine & Oise), France, Claim No. 41835; \$578.00 in the Treasury of the United States; all right, title and interest in the play entitled "Noah" as listed in Exhibit A of Vesting Order No. 3430, to the extent owned by the claimant immediately prior to vesting.

Executed at Washington, D. C. on: November 2, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-9432; Filed, Nov. 6, 1953;
8:50 a. m.]

EMIL BECKMANN AND PAULINE ROUBITSCHKE

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Property, and Location

Emil Beckmann, London, England; Pauline Roubitschek, Gloversville, New York; Claim No. 14370; \$246.25 in the Treasury of the United States, one-half thereof to each claimant.

Executed at Washington, D. C., on November 2, 1953.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director
Office of Alien Property.

[F. R. Doc. 53-8433; Filed, Nov. 6, 1953;
8:50 a. m.]

